Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

GR

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

MVSEVM
BRITAN
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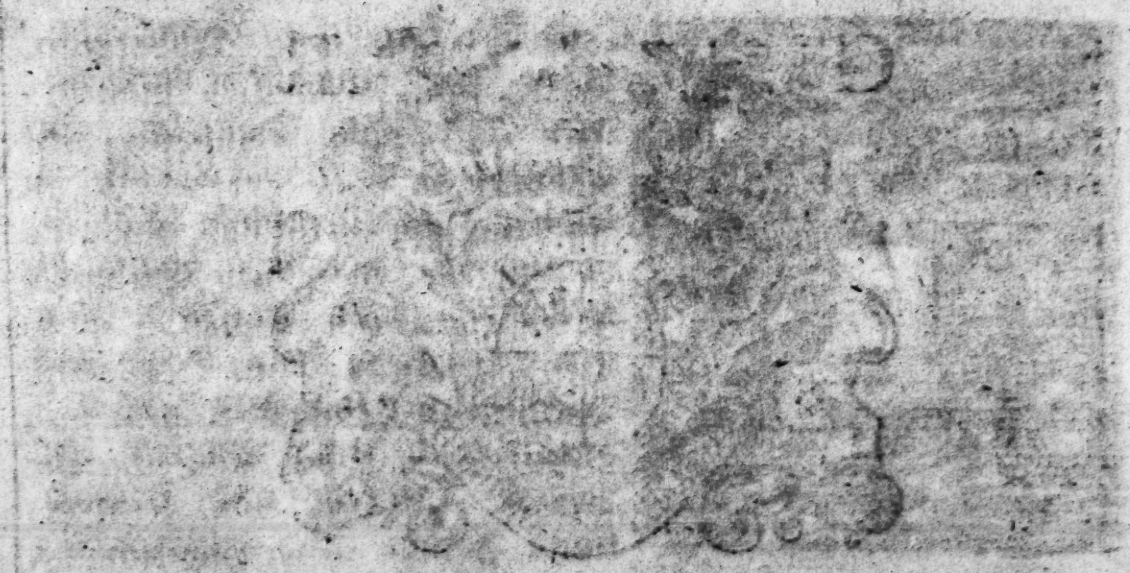

Anno vicesimo sexto

Georgii II. Regis.

An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty three; and for enlarging the Time limited by an Act of the last Session of Parliament, for subscribing Annuities, after the Rate of Three Pounds *per Centum per Annum*, into the joint Stock of Annuities therein mentioned.

MOST Gracious Sovereign, Preamble.
We, Your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's publick Expences, have freely and voluntarily resolved to give and grant unto Your Majesty the Rates, Duties, and Impositions herein after-mentioned; and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

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Malt Act of 20 *Geor.* II. further continued to 24 *June*, 1754.

That within and throughout that Part of Great Britain called England, Wales, and Town of Berwick upon Tweed, the several and respective Rates, Duties, and Impositions, for and upon all Malt, Mum, Cyder, and Perry, which in and by One Act of Parliament made and passed in the Twentieth Year of His Majesty's Reign, intituled, An Act for continuing the Duties upon Malt, Mum, Cyder, and Perry, in that Part of *Great Britain* called *England*; and for granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, in that Part of *Great Britain* called *Scotland*; and for applying a certain Sum of Money therein mentioned, towards the Supply for the Service of the Year One thousand seven hundred and forty seven; were granted or continued to his Majesty, until the Twenty fourth Day of June, One thousand seven hundred and forty eight; and which by One other Act made and passed in the Twenty first Year of his Majesty's Reign, were granted or continued to his Majesty, until the Twenty fourth Day of June, One thousand seven hundred and forty nine; and which by One other Act made and passed in the Twenty second Year of his Majesty's Reign, were granted or continued to his Majesty, until the Twenty fourth Day of June, One thousand seven hundred and fifty; and which by One other Act made and passed in the Twenty third Year of his Majesty's Reign, were granted or continued to his Majesty, until the Twenty fourth Day of June, One thousand seven hundred and fifty one; and which by One other Act made and passed in the Twenty fourth Year of his Majesty's Reign, were granted or continued to his Majesty, until the Twenty fourth Day of June, One thousand seven hundred and fifty two; and which by One other Act made and passed in the Twenty fifth Year of his Majesty's Reign, were granted or continued to his Majesty, until the Twenty fourth Day of June, One thousand seven hundred and fifty three; shall be further continued in like Manner, and shall be, and are by this Act charged for and upon all Malt which shall be made, and all Mum which shall be made and imported, and all Cyder and Perry which shall be made for Sale, within that Part of Great Britain called England, Wales, and the Town of Berwick upon Tweed, from and after the Twenty third Day of June, in the Year of our Lord One thousand seven hundred and fifty three, and before the Twenty fourth Day of June, which shall be in the Year of our Lord One thousand seven hundred and fifty four.

And

And be it further enacted by the Authority aforesaid, That within and throughout that Part of the Kingdom of Great Britain called Scotland, there shall be raised, levied, collected, paid, and satisfied, unto and for the Use of His Majesty, His Heirs, and Successors, for and upon all Malt, Mum, Cyder, and Perry, the several and respective Rates, Duties, and Impositions herein after-mentioned; that is to say,

Malt in *Scotland* to pay 3*d.* per Bushel.

For and upon every Bushel of Malt, which at any Time or Times, from and after the Twenty third Day of June, One thousand seven hundred and fifty three, and before the Twenty fourth Day of June, One thousand seven hundred and fifty four, shall be made of Barley, or any other Corn or Grain, in that Part of Great Britain called Scotland, by any Person or Persons whatsoever (whether the same shall be or not be for Sale) the Sum of Three Pence; and so proportionably for a greater or less Quantity, to be paid by the Maker or Makers thereof respectively.

For every Barrel of Mum, which at any Time or Times, from and after the said Twenty third Day of June, One thousand seven hundred and fifty three, and before the said Twenty fourth Day of June, One thousand seven hundred and fifty four, shall be made or imported within that Part of Great Britain called Scotland, the Sum of Ten Shillings, over and above all Duties payable for the same.

Mum 10*s.* per Barrel.

For all Cyder and Perry, which at any Time or Times, from and after the said Twenty third Day of June, One thousand seven hundred and fifty three, and before the said Twenty fourth Day of June, One thousand seven hundred and fifty four, shall be made for Sale within that Part of Great Britain called Scotland (over and above all other Duties payable for Cyder and Perry made and sold by Retail) the Sum of Four Shillings for every Hogshead; and so in Proportion for a greater or less Quantity, to be paid by the respective first Buyers or Retailers thereof.

Cyder and Perry made for Sale, 4*s.* per Hogshead.

Which said several and respective Duties, by this Act granted and continued respectively, shall be raised, levied, collected, and paid unto His Majesty, His Heirs, and Successors, during the Time and Term aforesaid, by the same Ways, Means, and Methods, and by such Rules and Directions, and with such and the like Allowances

How these Duties are to be raised, &c.

and Repayments proportionably, and under ſuch Penalties and Forfeitures, and with ſuch Power of Mitigation, and other Powers, in all Reſpects, not otherwiſe directed by this Act, as are preſcribed, mentioned, or expreſſed in the ſaid former Act, or in any other Act or Acts of Parliament thereby referred unto, or any of them, for and concerning the Duties by them, or any of them, granted or continued; and that the ſame Act formerly made and paſſed, and the ſaid other Acts thereby referred unto, as for and concerning the ſaid Duties upon Malt, Rum, Cyder, and Perry, and every Article, Rule, Clauſe, Matter, and Thing, in them, and every or any of them contained, or thereby referred unto, and now being in Force, and not otherwiſe altered by this Act, ſhall be and continue in full Force and Effect, to all Intents and Purpoſes, for raiſing, levying, collecting, ſecuring, and accounting for the Rates, Duties, and Impoſitions hereby granted and continued reſpectively, and for levying and recovering the Penalties and Forfeitures, and making any Mitigations and proportional Allowances, and all other Matters and Things, during the Continuance of this Act, as fully as if the ſame were particularly and at large repeated in the Body of this preſent Act.

20,000 *l.* to be raiſed in *Scotland.*

And whereas it is the true Intent and Meaning of this preſent Act, that the full and entire Sum of Twenty thouſand Pounds of lawful Money of Great Britain, clear of all Charges and Expences of Management and Collection, ſhall be raiſed out of that Part of Great Britain called Scotland, for the Service of the Year One thouſand ſeven hundred and fifty three, by the ſaid Duties upon Rum, Cyder, and Perry, to be charged there, as aforeſaid, and by a Malt Tax to be raiſed and levied as in England, by a Duty of Three Pence per Buſhel on all Malt made and conſumed in Scotland; and in caſe the ſaid Duties upon Rum, Cyder, and Perry, and the ſaid Duty of Three Pence per Buſhel upon Malt, to be charged in Scotland, by virtue of this Act, being duly ſurveyed and collected, ſhall not be ſufficient effectually to raiſe and anſwer the ſaid Sum of Twenty thouſand Pounds in neat Money, after all Charges and Deductions whatſoever, that ſuch Deficiency ſhall be made good by a Surcharge to be made upon all Makers of Malt in that Part of Great Britain called Scotland, in Proportion to the Malt they ſhall reſpectively make between the Twenty third Day of June, One thouſand ſeven hundred and fifty three, and the Twenty fourth Day of June, One thouſand ſeven hun-

dred and fifty four; be it therefore enacted by the Authority aforesaid, That after the Twenty fourth Day of June, One thousand seven hundred and fifty four, in case it shall appear to the Commissioners of Excise for the time being, in that Part of Great Britain called Scotland, that the said Duties upon Rum, Cyder, and Perry, and upon Malt made in Scotland, by this Act granted as aforesaid, shall not be sufficient to answer the clear Sum of Twenty thousand Pounds as aforesaid; then, and in such Case, it shall and may be lawful for the said last mentioned Commissioners of Excise, and the Officers under them, to make a proportionable Surcharge upon all and every the Person and Persons who shall have made any Malt in that Part of Great Britain called Scotland, within the Year ending the Twenty fourth Day of June, One thousand seven hundred and fifty four, or so much Money, by Way of additional Duty upon all the Malt made by such Person or Persons respectively, as shall make good such Person or Persons proportional Part of such Deficiency; which said Surcharges shall be paid to the respective Collectors of the said Duties on Malt by the respective Persons, on whom the same shall be so made, within One Month after the same shall be so surcharged; or in Default thereof, the respective Person or Persons, who shall neglect or refuse to make such Payment, shall forfeit Treble the Sum upon him, her, or them respectively surcharged, as aforesaid, to be recovered in such Manner, as the Duty of Three Pence per Bushel may be recovered by virtue of this Act, or any other Act or Acts of Parliament herein before recited or referred unto; which said Surcharge, by way of additional Duty for making good the Deficiency of the said Sum of Twenty thousand Pounds (if any such Deficiency there shall be) shall be computed and settled as followeth; that is to say, As the particular Quantity of Malt, made by each such Maltster or Maker of Malt in Scotland within the said Year, ending the Twenty fourth Day of June, One thousand seven hundred and fifty four, shall bear Proportion to the whole Quantity of Malt made in Scotland within the same Year, so the particular Surcharge to be made upon such particular Maltster or Maker of Malt, for or towards making good the said Deficiency, shall bear Proportion to the whole Sum which shall be found to be so deficient as aforesaid.

Provided nevertheless, and be it declared by the Authority aforesaid, That if the said Rate of Three Pence per

Overp'us to be applied to the Fisheries.

per Bushel shall produce a greater Sum than the said Sum of Twenty thousand Pounds, clear of all Charges of Management, the Surplusage so produced, over and above the said clear Sum of Twenty thousand Pounds, shall be wholly applied towards the encouraging and promoting the Fisheries, and such other Manufactures and Improvements in Scotland, as may most conduce to the general Good of the United Kingdom; and to none other Use, Intent, or Purpose whatsoever, in such Manner as shall be hereafter directed and settled by Parliament.

This Act to relate to the same Day and Time as the Act 20 Geo. II. did.

And it is hereby declared and enacted, That in all Cases, where the said first mentioned Act of the Twentieth Year of His present Majesty's Reign did relate to any Day or Time within the Year, which commenced from the Twenty third Day of June, One thousand seven hundred and forty seven, this present Act doth and shall relate to the like Day and Time within the Year, commencing from the said Twenty third Day of June, One thousand seven hundred and fifty three.

Malt brought from *Scotland* by Sea, to be entered at the Port of landing.

And it is hereby further enacted by the Authority aforesaid, That all Malt made in Scotland, not to be consumed there, which at any Time or Times between the Twenty third Day of June, One thousand seven hundred and fifty three, and the Twenty fourth Day of June, One thousand seven hundred and fifty four, shall be brought into England, Wales, or the Town of Berwick upon Tweed, shall, in case the same be brought by Sea, be entered with the Officer for the said Duties of the Port where the same shall be so brought into England, Wales, or the Town of Berwick upon Tweed aforesaid; and the Sum of Six Pence per Bushel for the Duties thereof, shall be paid to such Officer before landing thereof, unless a Certificate from the proper Officer be produced, that it hath paid the said Duty of Three Pence per Bushel in Scotland; and if such Certificate be produced, there shall be only paid Three Pence per Bushel for such Malt so brought into England; and in case the same shall be brought by Land, such Malt shall pass and be carried by and through the Towns of Berwick or Carlisle, and there entered with the Officer for the said Duties in such of the said Towns, by or through which such Malt shall be so carried; and the like Duty of Six Pence per Bushel for the same shall be paid down in ready Money, unless such Certificate be produced

Brought by Land, to be entered at *Berwick* or *Carlisle*

duced as aforeſaid; but upon producing thereof, then only Three Pence per Buſhel ſhall be paid to ſuch Officer, on Pain of forfeiting all ſuch Malt, or the Value thereof, as ſhall be landed or put on Shore, or brought into England without ſuch Entry or Payment of Duties, as aforeſaid: And in caſe any Malt made in Scotland ſhall, during the ſaid Term, be found coming out of Scotland, or be brought from thence by Land, by or beyond the Towns before mentioned, without Entry or Payment of the Duties thereof, then all ſuch Malt, or the Value thereof, ſhall be forfeited, and may be ſeized by any Officer of Exciſe, for His Majeſty's Uſe; One Moiety of the aforeſaid Forfeiture to be and go to the King's Majeſty, and the other Moiety thereof to ſuch Perſon or Perſons as ſhall inform, ſeize, or ſue for the ſame, or the Value thereof; and to be recovered and levied by ſuch Ways, Means, and Methods, as any Penalties and Forfeitures are by this or any the ſaid former Acts, relating to the Malt Duties, to be recovered and levied; or by Action of Debt, or upon the Caſe, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at Weſtminſter; wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than One Imparlance ſhall be allowed.

Cyder for diſtilling not chargeable.

Provided always, That nothing in this Act contained ſhall extend to charge with the ſaid Four Shillings per Hogſhead, by this Act laid on Cyder and Perry, any Cyder or Perry ſold to any Diſtiller or Maker of Strong Waters, for ſuch Cyder or Perry as ſhall be uſed for diſtilling only; any thing in this Act or any former Act to the contrary notwithſtanding.

Diſtiller to give Notice to Officer when he diſtills Cyder.

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Twenty fourth Day of June, One thouſand ſeven hundred and fifty three, all and every Diſtiller or Diſtillers, that ſhall receive any Quantity of Cyder or Perry into his, her, or their Cuſtody, ſhall give Notice in Writing to the proper Officer, under whoſe Survey any ſuch Diſtiller ſhall reſide, Forty eight Hours before he, ſhe, or they ſhall begin to put any Quantity whatſoever of the ſame into any Still or Stills, to be drawn into Low Wines or Spirits; and if any ſuch Diſtiller or Diſtillers ſhall neglect or omit to give ſuch Notice, or if it ſhall appear that any Quantity whatſoever of ſuch Cyder or Perry hath been diſpoſed of, or made uſe of by any ſuch Diſtiller or Diſtillers in any other Way but in Diſtillation only; he, ſhe, or they ſhall

respectively forfeit and lose the Sum of Five Pounds; which said Sum of Five Pounds shall be sued for, levied, recovered, and mitigated, by such Ways and Means, as any Penalty or Fine for any Offence committed by any Person or Persons, against any of the Laws of Excise, can or may be sued for, levied, recovered, and mitigated, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; and that One Moiety thereof shall be to His Majesty, His Heirs, and Successors, and the other Moiety thereof to such Person or Persons, as will prosecute, inform, or sue for the same.

Allowances for Exportation of Malt.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, there shall be allowed to Maltsters, and Makers of Malt for Exportation, for every Twenty Quarters of Barley, or other Corn or Grain, that shall be entered and made into Malt for Exportation, an Allowance of Thirty Quarters, after the same shall be dried and made into Malt, and no more, upon the Exportation thereof, though by their steeping, wetting, or watering the same, the said Twenty Quarters shall be run out to any greater Quantity, exceeding the said Thirty Quarters, according to an Act of Parliament made in the First Year of the Reign of Their late Majesties King William and Queen Mary, intituled, An Act for encouraging the Exportation of Corn; and in such Cases where by the aforesaid Act of Parliament they are intitled to the same; and so in Proportion for a greater or less Quantity.

1 *W.* and *M.*

On Certificate of Malt being exported, and Security, Allowance to be paid.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, if any Person or Persons, who shall export any Malt into foreign Parts, shall produce a Certificate or Certificates from the Officer or Officers, with whom the Entry of the Corn or Grain intended to have been made into Malt shall have been made, of the particular Sum or Sums of Money that such Person or Persons is or are intitled to receive, according to the aforesaid Allowance of Thirty Quarters of Malt for every Twenty Quarters of Corn or Grain, and so in Proportion for a greater or less Quantity, that shall have been entered to be made into Malt for Exportation (which Certificates the said Officers are hereby upon Demand required to give gratis) and upon such Person or Persons giving sufficient Security before the shipping thereof

thereof for Exportation, that the particular Quantity of Malt which ſhall be intended to be exported as aforeſaid, or any Part thereof, ſhall not be relanded, or brought again into any Part or Parts of Great Britain (which Security the Cuſtomer or Collector of the Port where the ſame is intended to be exported, is hereby directed and authorized to take in His Majeſty's Name, and to His Majeſty's Uſe) then the Collector, or Chief Officer of the Port where ſuch Malt ſhall be exported, ſhall give to the Exporter thereof a Certificate or Debenture, directed to the proper Perſon or Perſons, by whom the ſaid Allowance by the aforeſaid Act of Parliament is directed to be paid; which Certificate or Debenture being produced to ſuch Perſon or Perſons, he is hereby required to pay ſuch Allowance to the Perſons, or their Agents, ſo exporting the ſame. Provided always, That if after the ſhipping of any ſuch Malt to be exported, and the giving ſuch Security as aforeſaid, in order to obtain the aforeſaid Allowance, the Malt ſo ſhipped to be exported, or any Part thereof, ſhall be relanded in any Part of Great Britain; that then, and in every ſuch Caſe, over and above the Penalty of the Bond, which ſhall be levied and recovered to His Majeſty's Uſe, all the Malt which ſhall be relanded, and Treble the Value thereof, ſhall be forfeited; that is to ſay, One Moiety thereof to the King, and the other Moiety thereof to the Perſon or Perſons who ſhall ſeize, inform, or ſue for the ſame. Penalty on relanding.

And whereas Maltſters, and Makers of Malt for Exportation, do frequently mix the Produce of Two or more Steepings of Corn or Grain, that have been entered to be made into Malt for Exportation, on or as ſoon as it comes off from the Kiln, by reaſon whereof the Officers for the Duties on Malt cannot aſcertain the real Produce thereof; by which Means great Quantities of each Steeping of ſuch Malt, are or may be privately conveyed away, and made uſe of for Home Conſumption, though the ſame has not been charged with the Duty, as all Malt made for Home Conſumption ought to be; be it enacted by the Authority aforeſaid, That from and after the ſaid Twenty fourth Day of June, One thouſand ſeven hundred and fifty three, all and every Maltſter or Maltſters, Maker or Makers of Malt for Exportation, ſhall keep the whole and intire Quantity of his, her, or their Corn or Grain making into Malt for Exportation, of One Steeping or Wetting, when the ſame ſhall be on the Kiln, or after the ſame ſhall be taken off the Kiln, ſeparate Malt ſteeping for Exportation to be kept ſeparate till meaſured.

rate and apart from all and every Part of any other former Steeping or Wetting of Corn or Grain, until the same shall have been measured by such Malsters or Makers of Malt, in the Presence of some Officer or Officers for the Duty upon Malt, on Pain of forfeiting and losing the Sum of Fifty Pounds.

Malsters to give Notice to Officers, &c.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, all such Malsters, or Makers of Malt for Exportation, shall give Notice in Writing to some Officer or Officers of the Duties upon Malt, or shall leave Notice in Writing at the next Office of Excise where the Journal is kept, of the Hour when he, she, or they shall intend to take any Malt off the Kiln or Kilns, that such Officer or Officers may attend the measuring of such Malt; and after such Malt has been measured, the same shall be immediately carried on Shipboard, if intended to be then exported; or else shall immediately be locked up and secured in some Storehouse, or other Place, belonging to such Malsters, or Makers of Malt, in the Presence of the said Officer or Officers, on Pain of forfeiting the Sum of Fifty Pounds.

Penalty on opening the Locks, &c.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, if any such Malster or Malsters, or Maker or Makers of Malt, or any other Person or Persons whatsoever, by his Order, Privity, or Directions, after any Steeping or Making of Malt shall have been locked up and secured in any Storehouse, or other Place or Places, in Manner as aforesaid, shall open any of the Locks or Doors, or shall make any Way or Kind of Entrance into such Storehouse, or other Place or Places, or shall remove any Part whatsoever of the Partition between any such Storehouse or Place, or any other Place or Places whatever, next thereunto adjoining, or shall remove out of the said Storehouse, or other Place, any Quantity whatever of the Malt that has been so locked up and secured, without the Knowledge and Consent of, or without first having given Notice to some Officer or Officers for the said Duties; he, she, or they shall respectively forfeit and lose the Sum of One hundred Pounds.

And the better to enable the Officers for the Duties upon Malt to discover whether all such Malt made for Exportation, and that has been locked up and secured in any Storehouse,

Storehouse, or other Place or Places, to be exported, has been really exported; be it enacted by the Authority aforesaid, That all and every such Malster or Malsters, Maker or Makers of Malt, that on the said Twenty fourth Day of June, One thousand seven hundred and fifty three, shall have any Quantity of Malt locked up and secured in any Storehouse, or in any other Place or Places, as is before directed to be exported, shall within Fifteen Months next after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, remove and clear out of his Storehouse, or other Place or Places, all and every Part and Parcel thereof, that at any Time after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, shall be locked up and secured in such Storehouse, or other Place, in order to be exported; and shall always, from time to time, in every Fifteen Months, remove and clear out of such Storehouse, or other Place or Places, in order to be exported, all and every Part and Parcel of Malt, that at any Time within every Fifteen Months after the last Clearing, shall be locked up and secured in any Storehouse, or in any other Place or Places that shall be made use of by him, her, or them, for the keeping of Malt for Exportation, on Pain of forfeiting and losing the Sum of Fifty Pounds.

Malsters, on 24 *June*, 1753, to clear out of their Warehouses all Malt within Fifteen Months.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, all and every Person or Persons whatsoever, that shall become Malsters, or Makers of Malt for Exportation, and shall make use of any Storehouse or Storehouses, Place or Places, for the keeping of Malt for Exportation, shall, within Fifteen Months after the Beginning to make use of any such Storehouse or Storehouses, or such other Place or Places, remove and clear out of such Places, to be exported, all and every Part and Parcel of such Malt, that at any Time or Times shall have been put into such Place or Places, within Fifteen Months after he, she, or they shall have begun to make use of such Place or Places; and shall always, from time to time, remove and clear out of such Storehouse, or other Place, to be exported, all and every Quantity of Malt whatever, that within every Fifteen Months after the last Clearing shall at any Time be locked up and secured in such Storehouse or Storehouses, or in any other Place or Places that shall be made use of by him, her, or them, for the keeping of

And so all future Malsters.

Malt made for Exportation, on Pain of forfeiting and losing the Sum of Fifty Pounds.

Penalties how to be recovered.

And be it further enacted by the Authority aforesaid, That all Fines, Penalties, and Forfeitures, for any Offences against this Act, shall be sued for, levied, and recovered, or mitigated, by the same Ways, Means, and Methods, as any Penalty or Forfeiture given by any of the Laws of Excise upon Beer, Ale, and other Liquors, can or may be sued for, levied, recovered, or mitigated; or by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; and that One Moiety of such Fines, Penalties, and Forfeitures, shall be to the Use of His Majesty, His Heirs, and Successors, and the other Moiety to him or them that shall discover, inform, or sue for the same.

Buyers of Cyder or Perry for their private Use, not to be charged.

Provided always, and it is hereby enacted, That nothing in this Act contained shall extend, or be construed to extend, to charge any Person or Persons with the Duty upon Cyder or Perry, such Person or Persons buying the same for his or their private Use only, and not being a Dealer or Dealers in Cyder or Perry, or a Retailer or Retailers thereof.

Persons selling less than 20 Gallons, to be deemed Retailers.

And be it further enacted by the Authority aforesaid, That every Person or Persons whatsoever, who shall, after the Twenty fifth Day of March, One thousand seven hundred and fifty three, sell any Quantity of Cyder or Perry, or either of them, in less Quantity than Twenty Gallons at a Time, whether the same be made from Fruit of his, her, or their own Growth, or from bought Fruit, shall be deemed and taken to be a Dealer in Cyder and Perry, and a Retailer thereof, and shall be subject and liable to the Duty of Four Shillings per Hogshead for such Quantity of Cyder and Perry so sold, over and above all other Duties payable for Cyder and Perry sold by Retail; and that every Dealer in, and Retailer of, Cyder and Perry, and other Person and Persons receiving into his, her, or their Custody or Custodies, any Quantity of Cyder and Perry, or either of them, for Sale; and every Person and Persons who shall buy any Fruit to make into Cyder or Perry, or either of them, for Sale, shall make a true and particular Entry in Writing of the several and respective Storehouses, Rooms, Cellars, Vaults, and other Place and Places by him, her, or them respectively made use of for the making and keeping of Cyder and Perry, or either of them, at the Office of Excise within the Compass

or

or Limits whereof such respective Storehouses, Rooms, Cellars, Vaults, and other Place or Places shall be situated, on Pain of forfeiting the Sum of Fifty Pounds for every such Storehouse, Room, Cellar, Vault, or other Place, which from and after the said Twenty fifth Day of March, One thousand seven hundred and fifty three, shall be made use of by any such Dealer or Retailer, Receiver or Maker respectively, without making such Entry thereof as aforesaid; and that all Duties, Fines, Penalties, and Forfeitures, by this Act imposed, shall be sued for, levied, recovered, or mitigated, by such Ways, Means, and Methods, as any Duty, Fine, Penalty, or Forfeiture, is or may be recovered or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; and that One Moiety of every such Fine, Penalty, or Forfeiture, shall be to His Majesty, His Heirs, and Successors, and the other Moiety to him, her, or them, that shall discover, inform, or sue for the same; and if any Person or Persons shall at any Time be sued for any thing done by him, her, or them, in pursuance of this Act, he and they shall and may plead the General Issue, and give this Act for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant, or the Plaintiff be Nonsuited, then such Defendant or Defendants shall have Treble Costs to him, her, or them, awarded against such Plaintiff or Plaintiffs.

Clause of Loan at 3 *l. per Cent.*

And it is hereby also enacted, That there shall be provided and kept in the Office of the Auditor of the Receipt of the Exchequer, One Book or Register, in which all the Orders for Money payable by this Act shall be entered and registered; and that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to His Majesty, at the said Receipt, upon Credit of the said Duties upon Malt, Rum, Cyder, and Perry, by this Act granted, any Sum or Sums of Money, not exceeding in the whole the Sum of Seven hundred and fifty thousand Pounds; which Lenders shall have Interest for their Forbearance of their respective Loans, not exceeding the Rate of Three Pounds per Centum per Annum, so as such Loans be allowed to be made by the Commissioners of the Treasury, or any Three or more of them now being, or by the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, who are hereby

by authorized to issue their Warrants for that Purpose, as fast as such Loans shall be wanted for the publick Service; the said Interest to be paid every Three Months from the making of such Loans, until Satisfaction of the principal Sums respectively; and that no Money so to be lent, shall be rated or assessed to any Tax or Assessment whatsoever; and that every such Lender shall immediately have a Tally of Loan struck for the Money by him, her, or them lent, and an Order of the same Date, for Repayment thereof, with such Interest as aforesaid; and that all such Orders shall be registered in Course, according to their Dates; and all Persons thereupon shall be paid in Course, as their Orders shall stand registered; so as the Person or Persons, Natives or Foreigners, his, her, or their Executors, Administrators, or Assigns, whose Order shall be first registered, shall be accounted the Person or Persons to be first paid, and so successively in Course; and that the Monies to come in by this Act, of the said Duties, shall be in the same Order liable to the Satisfaction of the said respective Persons, their Executors, Administrators, or Assigns successively, without undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, be demanded or taken for providing or making any such Books or Registers, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of His Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party aggrieved, by the Party offending, with Full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to forfeit his Place also; and if any undue Preference of one before another shall be made, in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with Full Costs of Suit, to the Party aggrieved, and shall be forejudged of his Place or Office; and if such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall be for ever incapable of his Place or Office; and in case the Auditor of the Receipt

No Fee for registering, &c.

Penalty for undue Preference.

Receipt shall not direct, or the Clerk of the Pells record, or the Tellers make Payment, according to each Person's due Place and Order, as before directed; then he or they shall be adjudged to forfeit, and the respective Deputies or Clerks, therein offending, to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid: All which said Penalties, Forfeitures, Damages, and Costs, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

No undue Preference, where Tallies are dated or brought the same Day.

Provided always, That if it shall happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered, then it shall be interpreted no undue Preference, which of those be entered first, so as he enters them all the same Day.

Nor if subsequent Orders be paid before such as were not demanded in Course.

Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons who did not come to take their Monies, and bring their Orders in Course; so as there be so much Money reserved as will satisfy precedent Orders; which shall not otherwise be disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Orders assignable.

And be it further enacted, That all and every Person and Persons, to whom any Money shall be due for Loans by virtue of this Act, after Order entered in the Book of Registry aforesaid, his, her, or their Executors, Administrators, or Assigns, by proper Words of Assignment to be indorsed on his, her, or their Order, may assign or transfer his, her, or their Right, Title, Interest, and Benefit of such Order, or any Part thereof, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry as aforesaid, for Orders (which the Officers shall upon Request, without Fee or Charge, accordingly make) shall intitle such

Assignee, his, her, or their Executors, Administrators, Successors, or Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so toties quoties; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release, or discharge the same, or any the Monies thereby due, or any Part thereof.

And to the end there may be no Want or Failure of a certain Sum, not to exceed in the whole Seven hundred and fifty thousand Pounds, to be raised, either by such Loans as aforesaid, or by issuing Exchequer Bills, as is herein after-mentioned, or by both, or either of those Ways or Means, for the publick Service; be it further provided and enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall judge it more adviseable to raise the said Sum of Seven hundred and fifty thousand Pounds, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times, at once, or by such Proportions at a Time, as they respectively shall find to be most for the Advantage of the Publick, to prepare and make, or cause to be prepared and made, at the Exchequer, in such Method and Form as they or he shall think most safe and convenient, any Number of new Exchequer Bills, containing one common Sum, or different Sums, in the principal Monies, so that in case there shall be no Loans made, then all the principal Sums to be contained in the said Bills to be made forth by this Act, shall not exceed Seven hundred and fifty thousand Pounds; and in case any such Loans shall be made as aforesaid, then all the principal Sums to be contained in the said Bills to be made forth by this Act, together with such Loans so made, shall not exceed the said Sum of Seven hundred and fifty thousand Pounds.

Commissioners impowered to prepare any Number of new Exchequer Bills, containing one common Sum, or different Sums, in the principal Monies.

And be it further enacted by the Authority aforesaid, That the said Bills to be prepared and made in pursuance of this Act, shall and may bear an Interest not exceeding the Rate of Three Pounds per Centum per Annum, and proportionably for any greater or less Sum to be contained therein, and to be payable to the Bearers thereof respectively; nevertheless the said Interest shall be abated and

Bills to bear Interest at 3 *l. per Cent. per Ann.*

and ſaved upon ſuch of the ſaid Bills to be made forth by this Act, as ſhall at any Time or Times be in the Receipt of the Exchequer, or in the Hands or Power of any Receivers or Collectors of any Taxes, Aids, or Revenues whatſoever, payable to His Majeſty, His Heirs, or Succeſſors, during ſuch Time and Times reſpectively, as ſuch Bills ſhall be or remain in the ſaid Receipt, or in ſuch Hands or Power as aforeſaid.

And it is hereby enacted, That all the ſaid Bills, ſo to be prepared and made, ſhall be numbered arithmetically, beginning with N° I, and ſo proceeding in an arithmetical Progreſſion aſcending, wherein the common Exceſs or Difference ſhall always be One, and ſhall be regiſtered accordingly; ſo that the principal Sum to be contained in every ſuch Bill (after Repayment of the Loans which ſhall have been made, as aforeſaid, if any ſuch be, with the Intereſt thereof, or reſerving Money ſufficient for that Purpoſe) may regularly be paid off, and diſcharged in Courſe, according to the Number of every ſuch Bill, as it ſhall ſtand in the ſaid Regiſter; and that the Intereſt upon all and every the ſame Bills ſhall be payable every Three Months, according to the Purport and true Meaning of this Act; and that upon every ſuch Bill there ſhall be indorſed, printed, or written, in Words at Length, or in Figures, the Sum; after which the Principal to be contained therein ſhall be payable in ſuch Courſe, as aforeſaid, according to the Purport and true Meaning of this Act.

Theſe Bills to be numbered arithmetically.

Provided always, and be it enacted by the Authority aforeſaid, That in caſe the ſaid Sum, not exceeding Seven hundred and fifty thouſand Pounds, ſhall be raiſed partly by Loans, and partly by Exchequer Bills, according to the Powers before given by this Act; that then, and in ſuch Caſe, it ſhall and may be lawful to and for the Commiſſioners of His Majeſty's Treaſury, or any Three or more of them now being, or the High Treaſurer, or any Three or more of the Commiſſioners of the Treaſury for the time being, when and as often as they ſhall, by virtue of the ſaid Powers, direct any ſuch Loans to be taken, or any ſuch Exchequer Bills to be made out, at the ſame Time alſo to direct and appoint the Courſe and Order in which ſuch Loans or Exchequer Bills ſhall ſtand upon the ſaid Regiſter, and after what Sum they ſhall reſpectively begin to be payable in Courſe, out of the Monies ariſing by this Act, ſo as no ſubſequent Loans or Exchequer Bills be made to alter the Courſe at firſt

Treaſury to direct the Courſe of Payment for Loans or Exchequer Bills.

appointed for prior Loans or Exchequer Bills, at the Time of taking in, or making out, such prior Loans or Exchequer Bills; any thing herein before contained to the contrary in any wise notwithstanding.

and to appoint Cheques, &c.

And it is hereby further enacted, That all the said Bills shall be prepared and made with such Cheques, Indents, or Counterfoils, as shall be directed by the Commissioners of the Treasury, or any Three or more of them now being, or by the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being; and that the Person or Persons, who shall be appointed to pay off the said Bills in Course, shall, from time to time, have the Use and Custody of One Part of all the Cheques, Indents, or Counterfoils of the said Exchequer Bills, to be prepared and made by virtue of this Act, from which the said Bills shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and that the Undertakers or Contractors for exchanging and circulating the said Bills, or such of them as shall be current, shall, from time to time, have the Use and Custody of One other Part of all the said Cheques, Indents, or Counterfoils of the said Exchequer Bills, from which the same shall have been cut off, as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged Bills; and that all the said Parts of the said Cheques, Indents, or Counterfoils, shall be delivered back into the Exchequer, when the said Bills to be made forth by virtue of this Act, shall be paid off, cancelled, and discharged.

The Bills to be placed as Cash in the Exchequer,

And it is hereby enacted, That the said Commissioners of the Treasury, or any Three or more of them now being, and the said High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall, and they are hereby respectively authorized and impowered to cause such Bills as shall be prepared by virtue of this Act, to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of Exchequer, each and every of which Tellers shall be severally charged with the Proportion of the said Bills, which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

and to be current in the Revenue.

And be it further enacted by the Authority aforesaid, That all and every the said Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall, from time to time, remain undischarged and uncancelled, until the discharging and cancelling the same, pursuant

to

to this Act, ſhall and may be received and taken, and ſhall paſs and be current to all and every the Receivers and Collectors in Great Britain, of the Cuſtoms, Exciſe, or any Revenue, Supply, Aid, or Tax whatſoever, already granted, due, or payable, or which ſhall or may hereafter be granted, due, or payable to His Majeſty, His Heirs, and Succeſſors, and alſo at the Receipt of the Exchequer, from the ſaid Receivers or Collectors, or from any other Perſon or Perſons, Bodies Politick or Corporate whatſoever, making any Payments or Loans there to His Majeſty, His Heirs, or Succeſſors, for or upon any Account, Cauſe, or Occaſion whatſoever, according to the Purport and true Meaning of this Act; and that ſuch of the ſame Bills as ſhall be received at the Exchequer, ſhall and may be locked up and ſecured as Caſh, according to the Courſe of the Exchequer, ſettled and eſtabliſhed by Law, for locking up and ſecuring Monies received in Specie there; and that all and every the Receivers and Collectors in Great Britain, of the Cuſtoms, Exciſe, or any Revenue, Aid, Tax, or Supply whatſoever, already granted, due, or payable, or which ſhall or may hereafter be granted, due, or payable, to His Majeſty, His Heirs, or Succeſſors, ſhall, and they are hereby directed and required, out of any current coined Money, as ſhall then be in his or their Hands, of ſuch Revenue, Aid, Tax, or Supply, to pay ſuch of the ſame Bills, as ſhall be brought to them reſpectively, by any Perſon or Perſons deſiring to have Money for the ſame: And in caſe any ſuch Receiver or Collector ſhall refuſe or neglect to exchange ſuch Bill or Bills for ready Money, for the Space of Twenty four Hours, then the Perſon or Perſons demanding the ſame, ſhall and may bring an Action of Debt, or on the Caſe, for the Principal and Intereſt Monies due upon ſuch Bill or Bills, againſt ſuch Receiver or Collector, having Money in his Hands, as aforeſaid; in which Action the Plaintiff ſhall or may declare, that ſuch Receiver or Collector is indebted to the Plaintiff in the Money demanded upon every ſuch Bill, according to the Form of the Statute, and hath not paid the ſame, which ſhall be ſufficient; and the Plaintiff in every ſuch Action ſhall recover againſt the Receiver or Collector, not only the Monies ſo neglected or refuſed to be paid, but alſo his Full Coſts of Suit; and ſuch Receiver and Collector ſhall be ſubject or liable thereunto; and in ſuch Action no Eſſoin, Protection, Privilege, or Wager of Law ſhall be allowed, or more than One Imparlance;

Receivers to exchange Bill for ready Money.

and upon Payment of the Monies so to be recovered, the Plaintiff, his Executors, or Assigns, shall deliver up such Bills to the Defendant, his Executors, or Assigns.

Tallies to be levied for Bills lent into the Exchequer.

And be it further enacted, That as any of the said Bills shall at any Time or Times hereafter, within the respective Times, during which they shall be current, pursuant to this Act, be paid or lent into the Exchequer, by any of His Majesty's Receivers, or other Person or Persons, Bodies Politick or Corporate, making any Payments or Loans at that Receipt, the Officers there shall cause Tallies to be levied, and delivered to the Payers or Lenders, as amply and effectually, to all Intents and Purposes, as if they had made such Payments or Loans in Specie.

Interest to continue till Payment.

And be it enacted by the Authority aforesaid, That the Interest which shall, from time to time, be due upon any of the Bills to be current as aforesaid, shall be allowed to all Persons, Bodies Politick and Corporate, paying the same to any Receiver or Collector, Receivers or Collectors, of any of His Majesty's Revenues, Aids, Taxes, or Supplies, or by way of Exchange, as aforesaid, to the respective Days whereon such Bill or Bills shall be so paid, exchanged, or lent.

Interest to cease whilst the Bills are in the Hands of Receivers, &c.

Provided always, That no Interest shall run, or be paid upon or for any such Bill or Bills, during the Time any such Bill or Bills, so paid, exchanged, or lent, shall remain in the Hands of any of the said Receivers or Collectors, or in the Hands of any Teller or Tellers of the Exchequer; but for such Time the Interest on every such Bill shall cease.

And to the end it may be known, for what Time such Bills bearing Interest shall, from time to time, remain in the Hands of such Receivers or Collectors, or in the Exchequer as aforesaid; be it further enacted by the Authority aforesaid, That the Person or Persons, who shall pay any such Bill or Bills so bearing Interest, to any Receivers or Collectors of any of His Majesty's Revenues, Aids, Taxes, and Supplies, by way of Exchange, or otherwise; or shall pay or lend such Bill or Bills, so bearing Interest, into the Exchequer, as aforesaid; shall, at the Time of making such Payment, Exchange, or Loan, on each Bill bearing Interest, and so paid, exchanged, or lent, put his or their Name or Names, and write thereupon, in Words at Length, the Day of the Month, and Year, in which he, she, or they so paid, exchanged, or

Bills paid to Receivers, &c. to be signed and dated.

lent

lent such Bill or Bills bearing Interest; all which the said Receivers and Collectors respectively, and also the respective Tellers in the Exchequer, shall take care to see done and performed accordingly; to which respective Days the said Receivers and Collectors shall be allowed again the Interest, which he, she, or they shall have allowed or paid upon such respective Bill or Bills, upon his or their paying the same into the Receipt of Exchequer, as aforesaid.

The Bills may be reissued,

Provided also, and be it further enacted by the Authority aforesaid, That the said Bills, or any of them, may be reissued and paid again out of His Majesty's Exchequer; and when the same shall be reissued and paid again out of His Majesty's Exchequer, the respective Teller there, from whose Office such Bill or Bills bearing Interest shall be so reissued, or again paid out, shall indorse on the same Bill or Bills so reissued, in Words at Length, the Day of the Month, and Year, in which the same were so reissued or repaid out of the Exchequer, and also on what Account the same were last received into the Exchequer, and sign the same; from which Time the Interest of such Bill or Bills so reissued or paid again shall revive; and such Bill or Bills shall revive, run, and pass at Interest, as the same did before they were paid unto, or received by the said Receivers or Collectors, or before the same were paid or lent into the Exchequer, as aforesaid.

both for Principal and Interest.

And it is hereby enacted, That the same Bills to be reissued, from time to time, or at any Time, at the Exchequer as aforesaid, shall be so reissued for the principal Money to be contained therein, and for so much Interest as was due thereon, and allowed by the Teller, at the respective Time and Times when such Bill and Bills were last paid into the Exchequer.

Receivers to keep a Book.

And be it enacted, That every Receiver General of any the Revenues, Aids, Tares, or Supplies, belonging or to belong to His Majesty, his Heirs, and Successors, shall keep a fair Book or Books of Account in Writing of all the Monies by him received; in which he, or his Deputy or Deputies, shall truly enter all the Sums which shall have been received by him or them, for every such Revenue, Aid, Tar, or Supply, together with the Names of the several Collectors from whom the same or any Part thereof was received, the Days when, and the Sums paid, how much thereof in Money, and how much thereof in such Exchequer Bills, and what Exchequer

chequer Bills ſhall have been exchanged by every ſuch Receiver General, purſuant to this Act; to which Account every Perſon concerned ſhall have free Acceſs at all ſeaſonable Times, without Fee or Charge; and the ſaid Accounts ſhall lie conſtantly open at One certain Place within the Limits of his Receipt for that Purpoſe; and if ſuch Receiver ſhall neglect to keep ſuch Book or Books, or enter therein any Sum or Sums of Money by him received and paid as aforeſaid, by the Space of Three Days after his Receipt or Payment of the ſame, or ſhall refuſe any Perſon or Perſons concerned to inſpect ſuch Book or Books without Fee or Reward as aforeſaid; every ſuch Receiver, for every ſuch Offence, ſhall forfeit the Sum of One hundred Pounds to any Perſon or Perſons who will ſue for the ſame, to be recovered by Action of Debt, or upon the Caſe, Bill, Suit, or Information, in any of His Majeſty's Courts of Record at Weſtminſter; wherein no Eſſoin, Protection, Privilege, or Wager of Law ſhall be allowed, or more than One Imparlance.

Bills filled up by Indorſements, or defaced, to be exchanged.

Provided always, and it is hereby enacted by the Authority aforeſaid, That in caſe any of the Exchequer Bills which ſhall be current as aforeſaid, ſhall be filled up by Writing or Indorſement made thereon, as aforeſaid, or ſhall by any Accident be defaced, it ſhall and may be lawful for the Commiſſioners of the Treaſury, or any Three or more of them, or the High Treaſurer for the time being, and he or they are hereby authorized and impowered, by his or their Diſcretion, from time to time, to cauſe new Bills to be made forth at the Receipt of Exchequer, in lieu of ſuch Bills which ſhall be ſo filled up or defaced; which Bills ſo filled up or defaced ſhall be cancelled at the Receipt of Exchequer, and kept there on a File or Files for that Purpoſe; and ſuch Bills, ſo to be made forth in lieu thereof, ſhall have a like Currency, and ſhall in all Reſpects be ſubject to the ſame Rules, Methods, and Continuance, as the Bills ſo filled up were intended to have been by this Act, and ſhall bear the ſame Numbers, Dates, and principal Sums, and carry the like Intereſt, as was borne and carried by the Bills ſo cancelled reſpectively.

Bills not exceeding 5000 *l.* each, may be made forth at the Exchequer.

And it is hereby enacted, That for the greater Eaſe and Diſpatch of publick Buſineſs at the Exchequer, it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any Three or more of them, or

or the High Treasurer for the time being, and he and they are hereby authorized and enabled, in case he or they shall so think fit, to cause Exchequer Bills for any large Sums, not exceeding Five thousand Pounds each, to be made forth at the Receipt of the Exchequer, and to be placed as Cash in the said Receipt, in lieu of the like Value of the Principal contained in the said Exchequer Bills made forth for lesser Sums, which at the Time of making such large Bills shall happen to be in the same Receipt, which shall be at the same Time cancelled and discharged, and be kept there on a File for that Purpose; and such new Bills for such large Sums shall and may be issued at the said Receipt, and have the same Currency, and be in all Respects subject to the same Rules, Methods, and Continuance, and carry the like Interest, and have the same Security, Benefits, and Advantages; and the same Pains of Death, and other Pains, Penalties, and Forfeitures, for any Crime or Offence relating thereunto, shall be inflicted, incurred, and put in Execution, as if they had been originally issued by virtue of this Act for the said lesser Bills; any thing herein contained to the contrary notwithstanding.

Forging Exchequer Bills Felony.

And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall forge or counterfeit any Exchequer Bill which shall have been made forth by virtue of this Act, before the same shall be paid off and cancelled, or any Exchequer Bill to be renewed or made forth in pursuance of this Act, or any Indorsement or Writing thereupon or therein, or tender in Payment any such forged or counterfeit Bill, or any Exchequer Bill with such counterfeit Indorsement or Writing thereon, or shall demand to have such counterfeit Bill, or any such Exchequer Bill, with such counterfeit Indorsement or Writing thereupon or therein, exchanged for ready Money, by any Person or Persons, Body or Bodies Politick or Corporate, who shall be obliged or required to exchange the same, or by any other Person or Persons whatsoever, knowing the Bill so tendered in Payment, or demanded to be exchanged, or the Indorsement or Writing thereupon or therein, to be forged or counterfeit, and with Intent to defraud his Majesty, his Heirs, or Successors, or the Persons to be appointed to pay off the same, or any of them, or to pay any Interest thereupon, or the Person or Persons, Body or Bodies Politick or Corporate, who will contract to circulate or

exchange the same, or any of them, or any other Person or Persons, Body or Bodies Politick or Corporate; then every such Person or Persons so offending, being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer as in Cases of Felony without Benefit of Clergy.

How the Monies arising by this Act shall be applied.

And to the End, Intent, and Purpose, that all the Monies to be lent at the Exchequer on the Credit of this Act, within the Time before limited in that Behalf, not exceeding as aforesaid, may be duly repaid, and the Interest thereof justly satisfied at the said Receipt, and that all the Exchequer Bills to be made forth by virtue of this Act, not exceeding as aforesaid, may likewise be paid off and discharged in their due Course and Order at such Publick Office, as is hereafter in and by this Act appointed in that Behalf; and to the End the same Bills, or so many of them as shall from time to time remain undischarged, may the better obtain a Currency for such Time as they or any of them are hereby intended to be current; be it therefore enacted by the Authority aforesaid, That the Money which shall from time to time arise at the Receipt of the Exchequer, of or for the Rates and Duties by this Act granted, shall, from time to time, as the same shall arise at the said Receipt, be issued and applied at the same Receipt for or towards paying off and discharging the Orders of Loan, for the Money which shall have been lent at the said Receipt, within the Time herein before limited in that Behalf, and for satisfying the Interest thereof, in such Course, Manner, and Form, as are before in this Act prescribed and appointed for that Purpose (with Preference to all other Payments to be made out of the same Monies) until all the Principal and Interest payable upon such Orders of Loan shall be fully satisfied, or sufficient Money shall be reserved in the Exchequer for the full Payment and Satisfaction of the same, or the Monies which shall, from time to time, arise at the said Receipt of Exchequer, of or for the said Rates and Duties by this Act granted, shall, from time to time, as the same shall arise at the said Receipt, be issued to such Paymaster as is herein after mentioned, by way of Imprest and upon Account, for or towards paying off and discharging the Exchequer Bills which shall have been made forth by virtue of this Act, in such Course as aforesaid, and for or towards the Charge of exchanging and circulating the same Bills, or any of them, and for or towards

towards such other Payments as are in and by this Act directed or allowed to be made or discharged out of the same, and for no other Use, Intent, or Purpose whatsoever.

Treasury on 29 *Sept.* 1754. to take an Account of all Monies raised and discharged.

And be it further enacted by the Authority aforesaid, That on the Twenty ninth Day of September, One thousand seven hundred and fifty four, or within Ten Days after, the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall cause a true and perfect Account in Writing to be taken and attested by the proper Officers, of all the Monies which shall have been raised by Loans, or by Exchequer Bills, or by any or either of those Ways or Means, for or towards the said Sum, not exceeding Seven hundred and fifty thousand Pounds, by this Act intended to be raised, as aforesaid, and how much thereof shall before that Time have been paid off or discharged, and how much thereof shall then remain undischarged upon the said Orders of Loan and Exchequer Bills respectively, or upon any or either of them; which Account shall be publickly affixed in the Office of the Auditor of the Receipt in the said Exchequer.

The Bills to be registered in Course.

And it is hereby enacted and declared by the Authority aforesaid, That the Monies so remaining unsatisfied, or not discharged, with the Interest due or to grow due for the same, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament, after the said Twenty ninth Day of September, One thousand seven hundred and fifty four, and shall be transferred thereunto, as soon as such Aid or Aids shall be granted; and if no such Aid or Aids shall be granted, whereunto such unsatisfied Monies shall be transferred, before the Twenty fourth Day of March, One thousand seven hundred and fifty four, then the Monies so remaining unsatisfied and undischarged upon the said Exchequer Bills, or any of them, with the Interest due or to grow due for the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times shall be and remain in the same Receipt, of the Surplusses, Excesses, and Overplus Monies, and other Monies composing the Sinking Fund (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any former Act or Acts of Parliament, in that Behalf) and such Monies of the said Sinking

Fund

Fund shall and may be issued for supplying Money to the said Paymaster, for discharging the said unsatisfied Exchequer Bills in course, as the said Commissioners of the Treasury, or the High Treasurer for the time being, shall direct, until all the Principal and Interest, which shall be or remain due upon the said Exchequer Bills, or any of them, shall be fully cleared and paid off, or Money sufficient shall be reserved for that Purpose; and if at any Time or Times before or after any Money of the said Rates and Duties hereby granted shall be brought into the Exchequer, as aforesaid, there shall happen to be a Want of Money for paying Interest, which shall be actually incurred and grown due upon the said Exchequer Bills, or any of them, or for Payment of any Premium or Rate, which shall be incurred and grown due by any Contract or Contracts to be made by virtue of this Act, for circulating and exchanging the same Bills; that then, and in every such Case, the Money so wanted shall and may be supplied out of the Monies of the said Fund, commonly called the Sinking Fund (except before excepted) and be issued accordingly.

Treasury to appoint Paymasters.

And whereas by reason of the Multiplicity of Payments, which are to be made in paying off such Exchequer Bills, as shall be made forth by virtue of this Act, and otherwise in relation to the same, it will be difficult, if not impossible, that every particular Payment should be directed, recorded, paid, and accounted for, by the several Officers of the Receipt of the Exchequer, in the ordinary Course of Payments there used; therefore, and to the end the Exchequer may regularly be discharged of all the Monies required by this Act to be applied for paying off the said Exchequer Bills, and other Charges attending the same, be it enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any Three or more of them now being, and the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall and may, from time to time, by Writing under his or their Hand or Hands, constitute and appoint such Person or Persons, as he or they shall think fit, to be the Paymaster to pay off and discharge the principal Sums, which shall, from time to time, be in Course of Payment upon the said Exchequer Bills, or any of them, until they shall be paid off and discharged; and to pay the Premium or Premiums, Rate or Rates, which, according to any

Contract or Contracts to be made, as is herein after-mentioned, for exchanging and circulating the said Bills, or any of them, shall be due or payable to such Contractors; and to take in and put upon a File, from time to time, all such of the said Bills, as shall be paid off, to be cancelled, as the Commissioners of the Treasury now being, or the High Treasurer, or Commissioners of the Treasury for the time being, shall direct; and to do and perform, and cause and procure to be done and performed, such other Matters and Things in relation to the said Bills, or the Principal and Interest therein to be contained, as to the said Commissioners of the Treasury, or any Three or more of them now being, or to the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall seem meet, and be directed to be done and performed by such Paymaster for the time being; all which Payments shall be made by such Paymaster, from time to time, at an Office to be kept in or near the Receipt of the Exchequer at Westminster for that Purpose; and that the Commissioners of the Treasury, or any Three or more of them now being, and the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall take, or cause to be taken, Security, according to the best of his or their Judgements, from all and every such Person and Persons so to be constituted, for his or their due paying, answering, and accounting for all the said Monies which he or they shall receive, and for his and their true and faithful Performance of his or their Office or Offices, Trust or Trusts, before-mentioned.

Money, as brought in, to be paid to the Paymasters.

And be it further enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any Three or more of them now being, and the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, once in every Week, or oftner, as any of the Money by this Act appointed or intended to be applied for or towards paying off the said Exchequer Bills, or discharging any other the Payments relating thereunto, according to the Purport and true Meaning of this Act, shall be, or be brought into the Exchequer, or be or remain there, shall, without any further or other Warrant, to be sued for, had, or obtained, from His Majesty, His Heirs, or Successors, in that Behalf, issue, or cause to be issued, the same to such Paymaster for the time being, to be con-

stituted as aforesaid, by way of Imprest and upon Account, for or towards the paying off and discharging the said Exchequer Bills in such Course as aforesaid, and such other Payments relating to the said Exchequer Bills, as are to be made by such Paymaster as aforesaid; and that such Paymaster shall, from time to time, apply all the Monies by him so to be received, as he shall receive the same, from time to time, towards discharging the said Bills in Course, and other Payments hereby directed and allowed, according to the Purport and true Meaning of this present Act, and not otherwise.

The Bills to be registered in Course.

And be it further enacted by the Authority aforesaid, That all the said Bills to be made forth by virtue of this Act, shall be registered in Course, according to their Numbers, as aforesaid; and that the said Registers shall lie open in the publick Office of the said Paymaster for the time being; and a Table, to shew how far the said Bills shall be in Course of Payment, from time to time, shall be publickly affixed in the said Office; and that such Register and Table, or either of them, shall or may be viewed or inspected, at any seasonable Time or Times, by any Person or Persons desiring to view or inspect the same, without Fee or Charge; and that the said Bills shall be paid off and discharged in Course, according as their Numbers shall stand in the said Register; and the Monies by this Act appointed for Payment of the same, shall in the same Order be liable thereunto, without giving any undue Preference, in paying any Bill or Bills of any subsequent Number or Numbers, before any Bill or Bills of any antecedent Number or Numbers, and shall not be diverted or divertible to any Use, Intent, or Purpose whatsoever, other than the Uses and Purposes by this Act appointed for the Application of the same: Nevertheless, in case it shall happen that several Bills in Course of Payment shall on the same Day be brought, and demanded to be paid off, it shall not be interpreted an undue Preference, which of them the Paymaster or Paymasters do pay first, so as he or they do pay them all the same Day; and it shall not be interpreted an undue Preference to incur any Penalty in point of Payment, if the Paymaster or Paymasters do pay off the Bills to Persons that bring their Bills, and demand their Money in Course, before others that do not bring their Bills and demand their Money in Course, so as such

such Money be reserved, as will satisfy precedent Bills, which shall not be otherwise disposed of, but kept for them.

When Interest to cease.

And it is hereby enacted, That the Interest upon the said Bills shall cease from the respective Times that Money shall be reserved and kept in Bank for discharging the same.

Paymasters liable to the Controul of the Treasury.

And be it enacted by the Authority aforesaid, That the said Paymaster or Paymasters, to be constituted as aforesaid, shall be subject and liable to such Inspection, Examination, Controul, and Audit, and to such Rules in respect to paying, accounting, and other Matters relating to the Execution of the said Office or Trust of Paymaster, as the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall think fit or reasonable to establish or appoint, from time to time, for the better Execution of the Intent and End of this Act, and the Satisfaction of the Proprietors of the said Bills.

Treasury to settle Salaries of Clerks, &c.

And be it enacted by the Authority aforesaid, That as well the Person or Persons to be constituted to the said Office of Paymaster, as also the Person or Persons to be appointed to examine and controul the Receipts, Payments, and Doings of such Paymaster or Paymasters, shall respectively have and receive for the Services of themselves respectively, and of the Clerks and Substitutes to be employed under them respectively, and for such Charges as shall be necessarily incident to the Execution of their respective Offices, such Salaries, Rewards, and Allowances, as the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall judge to be reasonable, and direct in that Behalf, and to be allowed upon the proper Account or Accounts of the said Paymaster or Paymasters.

And for the better supporting the Currency of the said Bills to be made forth by this Act, and to the end a sufficient Provision may be made for circulating and exchanging for ready Money, from time to time, the said Bills, or such of them, as shall, from time to time, remain undischarged, during such Time as they or any of them are to be current, be it further enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any Three or more of them now being, or the

High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, on His Majesty's Behalf, shall and may, from time to time, enter into any Contract or Contracts, for obliging any Person or Persons, Body or Bodies Politick or Corporate, who will voluntary undertake this Service, at his or their own Costs or Charges, to circulate and exchange, at some publick Office in London or Westminster, for ready Money, from time to time, all such of the said Bills, which shall have been made forth by virtue of this Act, as shall be demanded at such publick Office, during the Time or respective Times of such Contract or Contracts, by paying in ready Money, at their own Costs and Charges, upon every such Demand, or within Twenty four Hours after, all the Principal Monies contained in every such Bill to be demanded, and the Interest which shall then be due thereupon, and so toties quoties, as often as any such Bill shall be demanded, the said Contractors or Undertakers, from time to time, upon exchanging every such Bill, taking in the Bill so exchanged, for their own Use, and being allowed a Rate or several Rates, not exceeding Three Pounds per Centum per Annum, as well for paying the said Interest, at their own Cost, as also in reward for their Service, upon all the said Bills so undertaken to be circulated; which said respective Rate or Rates shall be paid as is herein after mentioned; and the said Contract or Contracts shall be made in Writing, and registered in the Office of the Auditor of the Receipt of his Majesty's Exchequer, and shall be made to endure for such Time and Times respectively, as shall be agreed by the Contractors.

and to contract with Persons to circulate Bills, &c.

And it is hereby enacted, That such Contractors, or any of them, shall not, for that Cause only, be disabled from being a Member or Members of Parliament, or be adjudged liable to be a Bankrupt or Bankrupts, within the Intent and Meaning of all or any the Statutes made against or concerning Bankrupts; any Law, Statute, or Provision to the contrary notwithstanding.

Contractors not disabled from being Members of Parliament.

Provided always, and be it enacted by the Authority aforesaid, That such Contractors (with the Consent and Approbation of the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, and not otherwise) may, at any Time or Times, after the Twenty fourth Day

May lower or raise the Interest with Consent of Treasury.

Day of June, One thousand seven hundred and fifty three, by Writing to be affixed upon the Exchange of London, and by Publication in the London Gazette, declare and direct, if they shall so see cause and think fit, the said Bills to be made forth by virtue of this Act, or any Number or Part of them, to carry a lower or higher Rate of Interest, than the said Rate of Three Pounds per Centum per Annum, for such Time or Times as shall be mentioned in such Writing and Publication, as aforesaid. And for the greater Accommodation and Ease of paying the said Bills to be made forth by virtue of this Act, or any of them, to the Receivers and Collectors of the publick Revenues, and into the Receipt of the Exchequer, the said Commissioners of the Treasury, or any Three or more of them, or the High Treasurer for the time being, have hereby Power, at the Request of such Contractors, to make forth, or cause to be made forth, any of the said Exchequer Bills without bearing any Interest; yet nevertheless those Bills so to be made forth without bearing any Interest, may, from time to time, be made to carry such Interest, as the said Contractors shall, by Writing to be affixed on the Exchange of London, and published in the London Gazette, signify and declare in that Behalf.

Contractors how to be paid.

And it is hereby enacted by the Authority aforesaid, That the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall cause the Monies which shall, from time to time, be incurred and grown due to such Contractors, upon such respective Rates or Premiums, not exceeding as aforesaid, to be paid out of the Monies which shall, from time to time, be issued to the said Paymaster or Paymasters, as aforesaid; any former Law or Statute to the contrary notwithstanding.

No Fee to be taken,

And it is hereby enacted by the Authority aforesaid, That no Fee, Reward, or Gratuity shall be demanded or taken, directly or indirectly, by any of His Majesty's Officers in the Exchequer, or by any of their Clerks or Substitutes, or by any such Paymaster or Comptroller, or by their or either of their Clerks or Substitutes, from any of His Majesty's Subjects, for any Matter or Thing to be done by the said Officers in the Exchequer, or by the said Paymaster or Comptroller, or any of them, their, or any of their Clerks or Substitutes respectively, in pursuance of this Act; and that no such Officer in the

nor Money to be misapplied.

Exchequer, Paymaster, or Comptroller, or any such Clerk or Substitute, shall divert or misapply, or cause or procure to be diverted or misapplied, any of the Monies by this Act intended for the exchanging, circulating, and paying off the said Bills, or any of them, under such Penalties and Forfeitures to be incurred by, and inflicted on them respectively, as by this Act are prescribed and enacted for diverting and misapplying any the Monies of the said Rates and Duties hereby granted, or for taking or demanding any Fee, Reward, or Gratuity concerning the same.

No Interest for less than One Penny,

Provided always, and it is hereby enacted, That as often as any Interest upon any Exchequer Bill or Bills to be made forth by this Act, shall be demanded to be paid, the said Contractors or Paymasters shall not be obliged to pay for such Interest, to any lesser Sum than One Penny upon such Bill, in Case a single Bill be produced, or for the Total of the Interest of such Bills, where Two or more shall be offered at One Time by the same Person; any thing herein contained to the contrary notwithstanding.

Charges to be paid out of the Sinking Fund:

Provided also, and it is hereby enacted by the Authority aforesaid, That the said Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall have Power, and he or they are hereby enabled to pay and allow, or cause to be paid and allowed, out of the Monies to arise of or for the said Rates and Duties hereby granted, or of or for the said Surpluses, Excesses, or Overplus Monies, and other Revenues composing the Sinking Fund, from time to time, the necessary Charges of making forth the new Exchequer Bills hereby authorized to be made forth, and such other Charges, as shall be necessarily incident in or for the Execution of this Act, or any Part thereof, in relation to the said Bills; any thing herein contained to the contrary notwithstanding.

To be replaced out of the first Supplies.

Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be issued out of the said Surpluses, Excesses, or Overplus Monies, and other Revenues composing the Sinking Fund, shall from time to time be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

Provided also, and it is hereby enacted, That in case Proof shall be made on Oath of One or more credible Witness

Witneſs or Witneſſes, before the Lord Chief Baron and other the Barons of the Coif of His Majeſty's Court of Exchequer, or any of them, that any of the Bills, which ſhall have been made forth by virtue of this Act, were by Caſualty or Miſchance loſt, burnt, or otherwiſe deſtroyed, before the coming thereof in Courſe of Payment; and if by the Party's Oath the Numbers and Sums of ſuch Bill or Bills ſhall be aſcertained, and if thereupon the ſaid Chief Baron, and other the ſaid Barons, or any of them, before whom ſuch Oaths were made, ſhall certify that he or they are ſatisfied in ſuch Proof; then, and in every ſuch Caſe, the Commiſſioners of the Treaſury, or any Three or more of them now being, or the High Treaſurer, or any Three or more of the Commiſſioners of the Treaſury for the time being, are hereby authorized to cauſe the Money due upon ſuch Bill or Bills, ſo loſt, burnt, or deſtroyed, to be ſatisfied by the ſaid Paymaſter or Paymaſters, as if the original Bill or Bills were brought in to be paid off; provided that the Perſon or Perſons ſo receiving the Money do give Security to the King, to the good Liking of the Perſon or Perſons who ſhall be appointed, as aforeſaid, to pay off and take in the ſaid Bills, to pay into the Exchequer, for the Uſe of the Publick, ſo much Money as ſhall be paid upon ſuch Certificate or Certificates, if the Bill or Bills, ſo certified to be loſt, burnt, or deſtroyed, be hereafter produced.

Clauſe of Relief for Bills loſt or deſtroyed.

Provided alſo, and it is hereby enacted by the Authority aforeſaid, That all and every the Bills to be made forth by virtue of this Act, which ſhall, from time to time, be diſcharged and paid off, ſhall be taken in and filed, and ſhall be cancelled and made void, according to ſuch Rules and Directions as the ſaid Commiſſioners of the Treaſury, or any Three or more of them now being, or the High Treaſurer, or any Three or more of the Commiſſioners of the Treaſury for the time being, ſhall, by any Warrant or Warrants under their Hands, direct or appoint.

Bills diſcharged to be cancelled.

Provided always, and it is hereby likewiſe enacted by the Authority aforeſaid, That all the Monies ariſen or to ariſe into the Exchequer, of or for the ſaid Surpluſſes, Exceſſes, or Overplus Monies, and other Revenues compoſing the Sinking Fund (except ſuch Monies thereof, as are by this, or any other Act or Acts of this or any former Seſſion or Seſſions of Parliament, eſpecially charged upon the ſaid Sinking Fund, or to be paid out of the ſame, or out of

Sinking Fund appropriated to diſcharge national Debts incurred before 25 *Dec.* 1716.

any Revenues or Branches composing the said Sinking Fund) shall be appropriated, reserved, and employed to and for the discharging the Principal and Interest of such National Debts and Incumbrances, as were incurred before the Twenty fifth Day of December, One thousand seven hundred and sixteen, and are declared to be such National Debts as may be redeemed, and are provided for by Act of Parliament, in such Manner and Form, as shall be directed and appointed by any future Act or Acts of Parliament to be discharged therewith, or out of the same, and to none other Use, Intent, or Purpose whatsoever; any thing in this Act contained to the contrary notwithstanding.

And whereas several Orders of Loan or Exchequer Bills made upon, and in pursuance of, an Act of Parliament of the Twenty fourth Year of His Majesty's Reign, for continuing the Duties upon Malt, Mum, Cyder, and Perry, still remain undischarged, for want of sufficient Money arising by the said Duties being come into the Exchequer to satisfy and discharge the same, and it is uncertain how much thereof the Monies arising by the said Act will be able to answer and discharge; be it further enacted by the Authority aforesaid, That if the Money arisen or to arise into the Exchequer for or on Account of the said Duties, on or before the Twenty fifth Day of March, which shall be in the Year of our Lord One thousand seven hundred and fifty three, shall not be sufficient to discharge the whole Principal and Interest due, or to grow due, upon the several Orders of Loan or Exchequer Bills made upon and in pursuance of the said Act; that then so much Money, as shall then appear to be wanting and deficient for answering the Purposes aforesaid, shall and may be supplied and made good out of any the Monies arising into the Exchequer, by or from the Loans or Exchequer Bills on this Act, or any other Monies or Loans that are or shall be appropriated for the Service of the Year One thousand seven hundred and fifty three; and the Commissioners of the Treasury, or any Three or more of them, or the High Treasurer for the time being, shall direct and apply the same accordingly; any thing herein before contained to the contrary notwithstanding.

Deficiency of the Malt Act 24 *Geo.* II. how to be supplied.

Provided nevertheless, and be it further enacted, That all the Monies which, from and after the said Twenty fifth Day of March, One thousand seven hundred and fifty three, shall and may happen to come and be paid into

Arrears of the same how to supplied.

the Receipt of His Majeſty's Exchequer, for Arrears upon the ſaid Duties upon Malt, Rum, Cyder, and Perry, granted for the Service of the Year One thouſand ſeven hundred and fifty one (after ſatisfying all Intereſt, Premiums, or Rates, then due on the ſaid Orders of Loan or Exchequer Bills, as aforeſaid) ſhall be iſſued and applied in Aid of the Supplies that ſhall be granted to His Majeſty, for the ſaid Year One thouſand ſeven hundred and fifty three; any thing in the Act, by which the ſaid Duties were granted, to the contrary notwithſtanding.

And whereas by an Act made in the laſt Seſſion of Parliament (intituled, An Act for converting the ſeveral Annuities therein mentioned, into ſeveral Joint Stocks of Annuities, transferrable at the Bank of *England*, to be charged on the Sinking Fund; and alſo for conſolidating the ſeveral other Annuities therein mentioned into ſeveral Joint Stocks of Annuities, transferrable at the *South Sea Houſe*) Books were directed to be prepared for receiving the Subſcription or Conſent of ſuch of the Proprietors of ſeveral Annuities, after the Rate of Three Pounds per Centum per Annum, as ſhould ſubſcribe the ſame into the Joint Stock of Annuities, in the ſaid Act deſcribed, at any Time between the Twenty fourth Day of June, One thouſand ſeven hundred and fifty two, and the Fifth Day of January, One thouſand ſeven hundred and fifty three, inclusive, and no longer: And whereas the greateſt Part of the ſaid Annuities hath been ſubſcribed accordingly; and ſome of the Proprietors of ſuch Part of the ſaid Annuities as remain unſubſcribed, may be deſirous that the Time for ſuch Subſcription ſhould be enlarged, which will alſo be of Advantage to the Publick; be it enacted by the Authority aforeſaid, That the Governor and Company of the Bank of England ſhall cauſe ſuch Books as have been prepared according to the Directions of the ſaid Act, for receiving the Subſcription of the Proprietors of the ſaid Annuities into the ſaid Joint Stock of Annuities, to be kept open at the Bank of England for that Purpoſe, in ſuch Manner as by the ſaid Act is directed, to the ~~Fifth Day of April, One thouſand ſeven hundred~~ and fifty three inclusive, being the Time limited by the ſaid Act for the Subſcription of other Annuities, after the Rate of Three Pounds Ten Shillings per Centum per Annum; and ſuch Proprietors of the ſaid Annuities, after the Rate of Three Pounds per Centum per Annum, as have not already ſubſcribed the ſame into the

Recital of Clauſe in an Act of the laſt Seſſion for converting Annuities therein mentioned, into a Joint Stock.

Books to be kept open at the Bank for receiving Subſcriptions for that Purpoſe, to 5 *April*, 1753.

said Joint Stock of Annuities, their respective Attornies, Representatives, or Assigns, and all Persons authorized by the said Act to subscribe for them, before the said Fifth Day of January, One thousand seven hundred and fifty three, shall have Power to make such Subscription without Fee or Charge, at any Time before the said Fifth Day of April, One thousand seven hundred and fifty three; and such Subscription shall be as valid and effectual, to all Intents and Purposes, as if the same had been made before the said Fifth Day of January, One thousand seven hundred and fifty three.

FINIS

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

L O N D O N:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

GEORGE R.

Anno vicesimo sexto

Georgii II. Regis.

An Act to amend an Act made in the Eighth Year of the Reign of His late Majesty King *George* the First, intituled, *An Act for the better Recovery of the Penalties inflicted upon Persons who destroy the Game*, by enlarging the Time within which Suits and Actions are to be brought, by Force of the said Act.

WHEREAS by an Act of Parliament made in the Eighth Year of the Reign of His late Majesty King George, intituled, An Act for the better Recovery of the Penalties inflicted upon Persons who destroy the Game, it is provided, That all Suits and Actions to be brought by Force of the said Act, shall be brought before the End of the next Term after the Offence committed: And whereas the Time allowed by the said Act for the bringing of such Suits and Actions, has been found very inconvenient, and in many Cases is not sufficient for the commencing of Prosecutions against Offenders,

Preamble, reciting Clause in an Act of 8 *Geo.* I.

4

fenders, whereby the Intent of the said Act hath been, in some Degree, defeated; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Suits and Actions to be brought by virtue of the said Act, for the Recovery of any pecuniary Penalty or Sum of Money for Offences, which after the Twenty fifth Day of March, One thousand seven hundred and fifty three, shall be committed against any Law now in being, for the better Preservation of the Game, shall and may be brought before the End of the Second Term after the Offence committed; any thing in the said Act contained to the contrary notwithstanding.

Suits for the Recovery of pecuniary Penalties, for Offences committed after 25 *March*, 1753, against the Game Laws, may be brought before the End of the Second Term after the Offence committed.

Anno Regni GEORGII II. REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753; being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

LONDON

GEORGE R.

Anno vicesimo sexto

Georgii II. Regis.

An Act for continuing the Duties upon Salt, and upon Red and White Herrings, for the Purposes therein mentioned.

MOST Gracious Sovereign, Preamble reciting Clause in Act 18 *Geo.* II.

WHEREAS by an Act made in the Eighteenth Year of Your Majesty's Reign (intituled, An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of Six Years; and for declaring that the Duties on Salt, which arise and are payable in that Part of *Great Britain* called *Scotland*, shall be subject to the same Charges thereon, as the same Duties were liable to by the Act of the Fifth Year of the Reign of His late Majesty King *George* the First) it was enacted, That from and after the Determination of the Term of Seven Years, mentioned in an Act of the Fourteenth Year of Your Majesty's Reign (intituled, Act 14 *Geo.* II.
An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of Seven Years; and for allowing Rock Salt to be used in making Salt from Sea-Water at the Salt Works at *Neath*, in the County of *Glamorgan*) the several and respective Rates and Duties upon Salt, and upon Red and White Herrings, which by the said Act of the Fourteenth Year of Your Majesty's Reign were continued, should be further continued, for any during the Space of Six Years; and that the same should be managed, raised, levied, collected, secured, and paid, in such Manner and Form, and by and under such Powers,

Authorities, Penalties, Forfeitures, Provisions, Restrictions, and Regulations, for managing, raising, levying, collecting, securing, and paying the same, and with such Allowances for Prompt Payment, and for Waste of Salt carried coastwise, or to Ireland, and for Fish, Beef, and Pork, exported to Parts beyond the Seas, and with such Drawbacks or Debentures on account of Duties paid, or secured to be paid for Salt exported to Parts beyond the Seas, as were particularly mentioned in the Acts recited in the said Act of the Eighteenth Year of Your Majesty's Reign; and that the said Acts therein recited, and every Article, Rule, Clause, Matter, and Thing, therein contained, or thereby referred unto, and then being in Force, and not otherwise altered by that Act, should be and continue in full Force and Effect, for and during the said further Term of Six Years, as fully and amply, to all Intents and Purposes, as if the same had been particularly recited, expressed, and enacted, in the Body of that Act; with a Proviso therein contained, That the Duties on Salt, arising and payable in that Part of Great Britain called Scotland, should be subject to the same or the like Charges thereon, in the same Manner as the same Duties were liable or subject to by an Act made in the Fifth Year of his late Majesty King George the First (intituled, An Act for settling certain yearly Funds payable out of the Revenue of *Scotland*, to satisfy publick Debts in *Scotland*, and other Uses mentioned in the Treaty of Union; and to discharge the Equivalents claimed on Behalf of *Scotland*, in the Terms of the same Treaty; and for obviating all future Disputes, Charges, and Expences, concerning those Equivalents:) And whereas it was by the said Act made in the Eighteenth Year of Your Majesty's Reign further enacted, That the Money which should, from time to time, arise at the Receipt of the Exchequer, of or for the Rates or Duties by the said Act continued, should, from time to time, as the same should arise at the said Receipt (after all the Orders of Loan made forth by and in pursuance of the said Act made in the Fourteenth Year of Your Majesty's Reign, together with all the Interest due thereupon, should be fully satisfied and discharged, or Money sufficient should be reserved for that Purpose) be issued and applied at the said Receipt for or towards the paying off and discharging all and every the principal Sums contained in the Orders of Loan by the said Act of the Eighteenth Year of Your Majesty's Reign, directed

Act 5 *Geo.* I.

to be made forth, and for satisfying the Interest thereof, in such Course, Manner, and Form, as are in the said Act prescribed and appointed for that Purpose, until all the Principal and Interest payable upon such Orders should be fully satisfied, or sufficient Money should be reserved in the Exchequer for the full Payment and Satisfaction of the same, as in the said Act is directed, and for no other Use, Intent, or Purpose whatsoever; and by the said Act it was provided, That in case there should be any Surplus or Remainder of the Monies arising by the said Rates and Duties thereby continued, after all the Orders by the said Act of the Eighteenth Year of Your Majesty's Reign, directed to be made forth, and the Interest thereof should be fully satisfied and discharged, or Money sufficient should be reserved for that Purpose, such Surplus or Remainder of the said Rates and Duties should, from time to time, be reserved for the Disposition of Parliament, and should not be issued but by Authority of Parliament, and as should be directed by any future Act or Acts of Parliament in that Behalf, as by the said Act, Relation being thereunto had, may more fully appear: And whereas all the Orders of Loan made forth in pursuance of the said Act of the Fourteenth Year of Your Majesty's Reign, together with all the Interest due thereupon, have been fully satisfied and discharged: And whereas the Principal Sum of One Million hath, in pursuance of the said Act of the Eighteenth Year of Your Majesty's Reign, been advanced and paid on the Credit of the said Rates and Duties; and Orders of Loan have been made forth to the several Contributors, for the Repayment thereof, with Interest after the Rate of Three Pounds Ten Shillings per Centum per Annum: And whereas Part of the said Orders of Loan, so made forth in pursuance of the last mentioned Act, together with all the Interest due thereupon, hath been already discharged and satisfied, and the Residue thereof may, according to the Course in the said Act prescribed, be paid off and discharged before the Expiration of the Term of Six Years, for which the said Rates and Duties were by the said Act of the Eighteenth Year of Your Majesty's Reign further granted and continued: Now we Your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, gratefully acknowledging Your Majesty's tender Care of the Welfare of Your People, in recommending to us from Your

Thyone, the Continuance of our Attention to the Reduction of the National Debt, the Improvement of the Publick Revenue, and augmenting the Sinking Fund, and being desirous to make further Provision for those Purposes: To the end that the Nation may thereby acquire additional Credit, Power, and Security, have unanimously resolved, to give and grant to Your Majesty, Your Heirs and Successors for ever, the said Rates and Duties upon Salt, and upon Red and White Herrings, by the said last mentioned Act of the Eighteenth Year of Your Majesty's Reign, continued for the Term of Six Years, subject nevertheless to be redeemed by Parliament: And do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the Term of Six Years, for which the said Rates and Duties were continued by the said Act of the Eighteenth Year of His Majesty's Reign, the several and respective Rates and Duties upon Salt, and upon Red and White Herrings, so by the said last-mentioned Act continued, shall be, and are hereby granted and made payable unto His Majesty, His Heirs, and Successors, for ever, subject nevertheless to Redemption by Parliament; and that the same shall be managed, raised, levied, collected, secured, and paid, in such Manner and Form, and by and under such Powers, Authorities, Penalties, Forfeitures, Provisions, Restrictions, and Regulations, for managing, raising, levying, collecting, securing, and paying the same, and with such Allowances for prompt Payment, and for Waste on Salt carried Coastwise, or to Ireland, and for Fish, Beef, and Pork, exported to Parts beyond the Seas, and with such other Allowances, and with such Drawbacks or Debentures, on Account of Duties paid, or secured to be paid, for Salt exported to Parts beyond the Seas, as are particularly mentioned in the Acts recited in the said Act of the Eighteenth Year of His Majesty's Reign, or in any other Act now in Force, relating to the said several Rates and Duties; and that so much of the said Act, and of the Acts therein recited, and of every other Act as is now in Force, and as relates to the managing, raising, levying, collecting, securing, and paying of the said Rates and Duties, or the said Allowances, Drawbacks, and Debentures, shall be and remain

The Duties upon Salt, and Red and White Herrings, made perpetual;

subject to the Rules and Provisions for the raising, &c. the same, as by the recited Act of 18 Geo. II. &c. are prescribed.

temain in full Force and Effect for ever, as fully and amply to all Intents and Purpoſes, as if the ſame were particularly recited, expreſſed, and enacted in the Body of this Act.

Duties on Salt in *Scotland* made ſubject to the Charges enacted by Act 5 *Geo* I.

Provided nevertheleſs, and be it enacted and declared, That the Duties on Salt ariſing and payable in that Part of Great Britain called Scotland, are and ſhall be ſubject to the ſame or the like Charges thereon, in the ſame Manner as the ſame Duties were liable or ſubject to by an Act made in the Fifth Year of the Reign of His late Majeſty King George the Firſt, (intituled, An Act for ſettling certain yearly Funds payable out of the Revenue of *Scotland*, to ſatisfy publick Debts in *Scotland*, and other Uſes mentioned in the Treaty of Union; and to diſcharge the Equivalents claimed on Behalf of *Scotland*, in the Terms of the ſame Treaty; and for obviating all future Diſputes, Charges, and Expences, concerning thoſe Equivalents) any thing in this Act contained to the contrary notwithſtanding.

After Payment of the Principal and Intereſt of the Orders of Loan on Act 18 *Geo.* II.

And be it further enacted by the Authority aforeſaid, That after all the Orders of Loan made forth in purſuance of the ſaid Act of the Eighteenth Year of His preſent Majeſty's Reign, together with all Intereſt due thereupon, ſhall be fully diſcharged and ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, all the Monies which ſhall, from time to time, ariſe at the Receipt of the Exchequer, as well of or for the ſaid Rates and Duties by the ſaid Act of the Eighteenth Year of His preſent Majeſty's Reign continued, as of or for the Rates and Duties by this Act granted and made perpetual, ſhall be carried to, and made Part of, the Fund commonly called the Sinking Fund, and ſhall and may be iſſued and applied in ſuch Manner, and to ſuch Uſes and Purpoſes, as other Rates, Duties, Revenues, and Incomes, compoſing the ſaid Fund, are or ſhall be directed by Authority of Parliament to be iſſued and applied, and for no other Uſe, Intent, or Purpoſe whatſoever.

theſe Duties to be carried into the *Sinking Fund*.

FINIS.

Anno Regni
GEORGII II.
REGIS

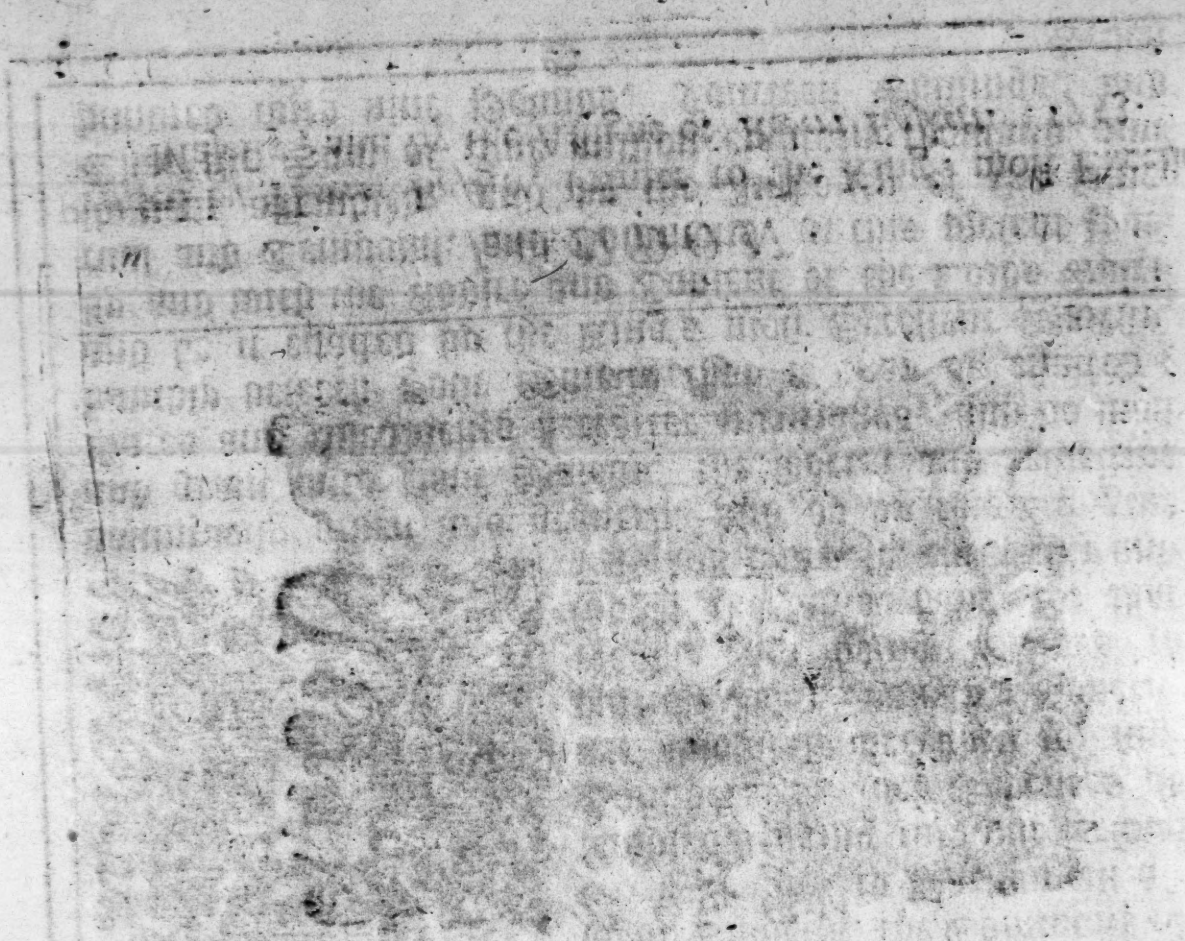
Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



Anno vicesimo sexto

Georgii II. Regis.

An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty three.

MOST gracious Sovereign, we, Preamble.
Your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, taking into our serious Consideration such Expences as are absolutely necessary for supporting Your Majesty's Government; and being resolved to supply the same, have, for that End and Purpose, chearfully and voluntarily given and granted, and do by this Act give and grant unto Your Majesty, the several and respective Rates and Assessments hereafter mentioned, and do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Sum of One million eighteen thousand nine hundred forty nine Pounds, Fourteen Shillings, and

1,18,949*l.* 14*s.* and 7*d.* to be raised in *Great Britain*;

Seven Pence, shall be raised, levied, and paid unto his Majesty, within the Kingdom of Great Britain, by such Proportions, and in such Manner and Form, as hereafter in this Act are expressed.

Whereof 994,972 *l* and 14*s.* to be raised in *England*, in One Year, from 25 *March*, 1753.

And it is hereby declared and enacted by the Authority aforesaid, That the Sum of Nine hundred ninety four thousand nine hundred seventy two Pounds, and Fourteen Shillings, Part of the said Sum of One million eighteen thousand nine hundred forty nine Pounds, Fourteen Shillings, and Seven Pence, shall be raised, levied, and paid unto His Majesty within the Space of One Year, from the Twenty fifth Day of March, One thousand seven hundred and fifty three, and shall be assessed and tared in the several Counties, Cities, Boroughs, Towns, and Places of England, Wales, and Berwick upon Tweed, according to the Proportions in Manner following; that is to say,

FOR the Town of Bedford, the Sum of Three hundred forty six pounds, five shillings, and six pence halfpenny.

For the rest of the County of Bedford, the Sum of Thirteen thousand nine hundred thirty one pounds, one shilling, and eleven pence farthing.

For the Borough of New Windsor, and the Castle there, the Sum of Four hundred eighty nine pounds, and five shillings.

For the rest of the County of Berks, the Sum of Nineteen thousand nine hundred thirty two pounds, fourteen shillings, and eight pence halfpenny.

For the Borough of Bucks, with Borton, Borton Hold, Prebend End, Gawcott, and Lendborough, the Sum of Three hundred and six pounds, ten shillings, and two pence three farthings.

For the Borough of Wicomb, the Sum of One hundred seventy nine pounds, eight shillings, and nine pence.

For the rest of the County of Bucks, the Sum of Twenty three thousand eighty five pounds, six shillings, and ten pence farthing.

For the University of Cambridge, the Sum of Fifty pounds.

For the Town of Cambridge, the Sum of One thousand three hundred seventy three pounds, one shilling, and six pence halfpenny.

For the Isle of Ely, the Sum of Four thousand and four pounds, two shillings, and nine pence three farthings.

For the reſt of the County of Cambridge, the Sum of Ten thouſand nine hundred thirty nine pounds, three ſhillings, and five pence farthing.

For the City and County of the City of Cheſter, the Sum of Seven hundred ninety two pounds, three ſhillings, and ſix pence.

For the County of Cheſter, the Sum of Thirteen thouſand five hundred and ſeven pounds, nine ſhillings, and five pence farthing.

For the County of Cornwall, the Sum of Fifteen thouſand nine hundred ſeventy one pounds, ten ſhillings, and ſix pence.

For the County of Cumberland, the Sum of One thouſand eight hundred fifty ſix pounds, nineteen ſhillings, and one penny farthing.

For the County of Derby, the Sum of Twelve thouſand and forty ſix pounds, nineteen ſhillings, and ten pence three farthings.

For the City and County of the City of Exon, the Sum of Two thouſand three hundred fifty four pounds, and two pence three farthings.

For the County of Devon, the Sum of Thirty eight thouſand nine hundred thirty ſeven pounds, eleven ſhillings, and five pence farthing.

For the Town and County of the Town of Poole, the Sum of One hundred fifty four pounds, and one ſhilling.

For the County of Dorſet, the Sum of Thirteen thouſand three hundred ſeventy five pounds, ſeventeen ſhillings, and eleven pence farthing.

For the County of Durham, the Sum of Five thouſand two hundred ninety eight pounds, ſeventeen ſhillings, and two pence three farthings.

For the Weſt Riding of the County of York, the Sum of Nineteen thouſand ſix hundred eighty one pounds, and ſix pence halfpenny.

For the North Riding of the County of York, the Sum of Thirteen thouſand one hundred ſeventy three pounds, nineteen ſhillings, and ten pence.

For the Eaſt Riding of the County of York, the Sum of Nine thouſand five hundred fifty five pounds, eleven ſhillings, and five pence halfpenny.

For the City of York, and County of the ſame City, the Sum of Two thouſand three hundred nineteen pounds, and fourteen ſhillings.

For the Town and County of the Town of Kingſton upon Hull, the Sum of One thouſand and twenty ſix pounds, eleven ſhillings, and two pence.

For the Town of Malden in the County of Essex, the Sum of Two hundred ninety two pounds, and nine shillings.

For the Town of Colchester, the Sum of One thousand four hundred twenty two pounds, thirteen shillings, and one penny halfpenny.

For the Town of Harwich and Dover Court, the Sum of Two hundred and one pounds, sixteen shillings, and six pence.

For the rest of the County of Essex, the Sum of Forty two thousand seven hundred eighty one pounds, fourteen shillings, and eight pence halfpenny.

For the City and County of the City of Gloucester, the Sum of Six hundred ninety eight pounds, two shillings, and four pence.

For the whole County of Gloucester, the Sum of Twenty two thousand nine hundred seventy one pounds, eight shillings, and two pence.

For the City of Hereford, the Sum of Three hundred eighty one pounds, eighteen shillings, and eight pence.

For the Borough of Leominster, the Sum of One hundred sixty six pounds, seventeen shillings, and ten pence.

For the rest of the whole County of Hereford, the Sum of Nine thousand six hundred fifty five pounds, sixteen shillings, and ten pence.

For the Borough of St. Albans in the County of Hertford, the Sum of Three hundred eighty seven pounds, and one shilling.

For the rest of the whole County of Hertford, the Sum of Twenty thousand seven hundred ninety eight pounds, ten shillings, and three pence.

For the Town of Huntingdon, the Sum of Two hundred sixteen pounds, six shillings, and four pence.

For the rest of the County of Huntingdon, the Sum of Seven thousand five hundred thirty two pounds, six shillings, and two pence.

For the City and County of the City of Canterbury, the Sum of Eight hundred twenty six pounds, and two third parts of a penny.

For the Town and Liberty of Dover, the Sum of Nine hundred sixty one pounds, sixteen shillings, and ten pence halfpenny.

For the Town of Folkstone, the Sum of Seventy two pounds, nine shillings, and six pence.

For the Town of Fordwich, the Sum of Thirty eight pounds, fourteen shillings.

For

For the Town of Feversham, the Sum of Two hundred fifty nine pounds, fifteen shillings, and one penny halfpenny.

For the Town of Tenterden, the Sum of Four hundred thirty one pounds, and eleven shillings.

For the Town and Liberty of Sandwich, the Sum of Four hundred ninety five pounds, eighteen shillings, and three pence.

For the Town and Port of New Romney, the Sum of One hundred twenty four pounds, eighteen shillings, and six pence.

For the Town of Lydd, the Sum of Three hundred eighty four pounds, nineteen shillings, and nine pence.

For the Town and Port of Hithe and West Hithe, within the Liberty of the said Town and Port, the Sum of One hundred eighteen pounds, and seven shillings.

For the rest of the whole County of Kent, the Sum of Thirty seven thousand five hundred sixty two pounds, two shillings, and two pence.

For the County of Lancaster, the Sum of Ten thousand four hundred ninety four pounds, seventeen shillings, and three pence farthing.

For the Borough of Leicester, the Sum of Three hundred nineteen pounds, sixteen shillings.

For the rest of the County of Leicester, the Sum of Seventeen thousand twenty five pounds, fourteen shillings, and three farthings.

For the County of Lincoln, with the City and County of the City of Lincoln, the Sum of Thirty five thousand nine hundred fifty three pounds, ten shillings, and four pence.

For the City of London, the Sum of Sixty one thousand six hundred ninety nine pounds, thirteen shillings, and three pence halfpenny.

For Serjeants Inn in Chancery Lane, the Sum of Fifteen pounds, twelve shillings.

For the Inner Temple, and Inns of Chancery thereunto belonging, the Sum of Two hundred pounds.

For the Middle Temple, and Inns of Chancery thereunto belonging, the Sum of One hundred thirty six pounds, eight shillings.

For the Society of Lincolns Inn, and Inns of Chancery thereunto belonging, the Sum of One hundred seventy pounds, thirteen shillings, and nine pence.

For Gray's Inn, and Inns of Chancery thereunto belonging, the Sum of One hundred twenty six pounds, six shillings, and eight pence.

For the Palaces of Whitehall and St. James's, the Sum of Fifteen thousand three hundred seventy seven pounds, three shillings, and one penny halfpenny.

For the City of Westminster, and Liberties thereof, and Offices executed in Westminster Hall, the Sum of Thirty one thousand five hundred forty six pounds, and eight pence halfpenny.

For the rest of the County of Middlesex, the Sum of Fifty three thousand eight hundred and one pounds, five shillings, and nine pence halfpenny.

For the County of Monmouth, the Sum of Four thousand nine hundred and six pounds, three shillings, and two pence three farthings.

For the City and County of the City of Norwich, the Sum of Four thousand two hundred fifty nine pounds, five shillings, and eleven pence halfpenny.

For the Borough of Great Yarmouth, the Sum of One thousand four hundred ten pounds, one shilling, and six pence halfpenny.

For the Borough of King's Lynn, the Sum of Nine hundred and seven pounds, seven shillings.

For so much of the Borough of Thetford, as lies in the County of Norfolk, the Sum of One hundred nineteen pounds, ten shillings.

For the rest of the County of Norfolk, the Sum of Thirty five thousand four hundred fifty seven pounds, three shillings, and three pence farthing.

For the Town of Northampton, the Sum of Four hundred fifteen pounds, three shillings, and eleven pence.

For the rest of the County of Northampton, the Sum of Twenty three thousand four hundred nineteen pounds, eleven shillings, and nine pence halfpenny.

For the Town and County of the Town of Newcastle upon Tyne, the Sum of One thousand two hundred ninety pounds, eight shillings, and two pence.

For the Town of Berwick upon Tweed, the Sum of Seventy two pounds, eleven shillings, and six pence.

For the County of Northumberland, the Sum of Five thousand nine hundred eleven pounds, nine shillings.

For the Town and County of the Town of Nottingham, the Sum of Eight hundred seven pounds, five shillings, and three pence three farthings.

For the County of Nottingham, the Sum of Twelve thousand eight hundred thirty one pounds, and one penny.

For the University of Oxon, the Sum of Fifty five pounds, eighteen shillings, and seven pence.

For

For the City of Oxon, the Sum of One thousand seven hundred twenty two pounds, three shillings, and one penny halfpenny.

For the rest of the County of Oxon, the Sum of Seventeen thousand five hundred ninety seven pounds, eighteen shillings, and two pence, and one third part of a penny.

For the County of Rutland, the Sum of Two thousand seven hundred fifty two pounds, eleven shillings, and eleven pence farthing.

For the Town of Ludlow, the Sum of One hundred thirteen pounds, one shilling.

For the County of Salop, the Sum of Fourteen thousand four hundred fifteen pounds, eight shillings, and six pence three farthings.

For the City and County of the City of Bristol, the Sum of Three thousand six hundred ninety five pounds, fifteen shillings, and four pence.

For the City of Bath, the Sum of Two hundred twenty one pounds, thirteen shillings.

For the City of Wells, the Sum of Two hundred forty pounds, eighteen shillings, and nine pence.

For the Borough of Bridgewater, and Haygrove Tithing, the Sum of One hundred eighty three pounds, two shillings, and six pence.

For the rest of the County of Somerset, the Sum of Thirty one thousand eight hundred ninety five pounds, two shillings, and two pence.

For the Town and County of the Town of Southampton, the Sum of Three hundred ninety seven pounds, nine shillings, and a halfpenny.

For the Isle of Wight, the Sum of Three thousand one hundred thirty six pounds, eighteen shillings.

For the rest of the County of Southampton, the Sum of Twenty three thousand nine hundred forty five pounds, thirteen shillings, and five pence, and eleven twelfth parts of a penny.

For the City and County of the City of Litchfield, the Sum of Two hundred ten pounds, nine shillings, and eight pence.

For the County of Stafford, the Sum of Thirteen thousand three hundred fifty pounds, one shilling, and eleven pence.

For the Town of Ipswich, the Sum of One thousand thirty pounds, eleven shillings, and nine pence.

For

For the Borough of Bury Saint Edmonds, the Sum of One thousand fifty three pounds, one shilling, and six pence.

For the Borough of Dunwich, the Sum of Twenty pounds, one shilling, and nine pence.

For the Borough of Eye, the Sum of Two hundred fifty one pounds.

For the Borough of Sudbury, the Sum of Two hundred fifty three pounds, four shillings, and four pence.

For so much of the Borough of Thetford, as lies in Suffolk, the Sum of Thirty nine pounds, twelve shillings.

For the rest of the County of Suffolk, the Sum of Thirty four thousand one hundred and five pounds, ten shillings, and two pence, and one third part of a penny.

For the County of Surry, the Sum of Thirty three thousand fifty six pounds, nine shillings, and nine pence farthing.

For the Town and Port of Hastings, and Liberties thereof, the Sum of One hundred eighty nine pounds, three shillings.

For the Liberty of Seaford, the Sum of Seventy pounds, nineteen shillings.

For the Liberty of Pevensey, the Sum of Five hundred forty four pounds, five shillings.

For the Town and Parish of Rye, the Sum of Two hundred thirty six pounds, nineteen shillings.

For the Town of Winchelsea, the Sum of Two hundred two pounds, ten shillings.

For the rest of the County of Sussex, the Sum of Twenty eight thousand eight hundred one pounds, nineteen shillings, and three pence halfpenny.

For the City and County of the City of Coventry, the Sum of One thousand two hundred thirty one pounds, seventeen shillings, and four pence halfpenny.

For the County of Warwick, the Sum of Eighteen thousand six hundred fifty two pounds, nineteen shillings, and nine pence halfpenny.

For the City and County of the City of Worcester, the Sum of One thousand one hundred fourteen pounds, eight shillings, and ten pence.

For the County of Worcester, the Sum of Fifteen thousand six hundred seventy six pounds, fourteen shillings, and seven pence halfpenny.

For the City of New Sarum, the Close of the same, and Clarendon Park, the Sum of Nine hundred fifty seven pounds, eighteen shillings, and three pence.

For

For the rest of the County of Wilts, the Sum of Twenty four thousand eight hundred sixty pounds, fifteen shillings, and eight pence halfpenny.

For the County of Westmorland, the Sum of One thousand five hundred twenty two pounds, eleven shillings, and ten pence three farthings.

For the Isle of Anglesea, the Sum of Eight hundred sixteen pounds, thirteen shillings, and eleven pence halfpenny.

For the Borough of Brecon, the Sum of Eighty eight pounds, nineteen shillings, and ten pence.

For the rest of the County of Brecon, the Sum of One thousand four hundred thirty six pounds, nineteen shillings, and two pence.

For the County of Cardigan, the Sum of Six hundred eighty six pounds, eight shillings, and one penny.

For the County Borough of Carmarthen, the Sum of One hundred fourteen pounds, nineteen shillings, and four pence.

For the County of Carmarthen, the Sum of Two thousand seventy pounds, one shilling, and eleven pence three farthings.

For the County of Carnarvon, the Sum of One thousand one hundred sixty eight pounds, thirteen shillings, and three pence halfpenny.

For the County of Denbigh, the Sum of Three thousand four hundred pounds.

For the County of Flint, the Sum of One thousand one hundred fifty seven pounds, eight shillings, and six pence.

For the County of Glamorgan, the Sum of Three thousand nine hundred fifty three pounds, four shillings, and eleven pence.

For the County of Merioneth, the Sum of One thousand two hundred sixteen pounds, seven shillings, and eleven pence.

For the County of Montgomery, the Sum of Two thousand nine hundred twenty six pounds, nine shillings, and two pence.

For the County of Pembroke, the Sum of One thousand four hundred ninety eight pounds, eighteen shillings, and ten pence farthing.

For the County of Radnor, the Sum of One thousand three hundred forty six pounds, three shillings.

For the Town and County of the Town of Haverford-west, the Sum of Eighty seven pounds, eight shillings, and eight pence.

And

Personal Estates (except desperate Debts, Stock of Land, Houshold Goods, and Loans to His Majesty) to pay 2 s. in the Pound.

And be it further enacted by the Authority aforesaid, That towards raising the said several and respective Sums of Money, hereby charged on the respective Counties, Cities, Boroughs, Towns, and other Places, in that Part of Great Britain called England, Wales, and Berwick, as aforesaid, all and every Person and Persons, Bodies Politick and Corporate, Guilds and Fraternities, within the same respectively, having any Estate in ready Money, or in any Debts whatsoever, owing to them within Great Britain, or without, or having any Estates in Goods, Wares, Merchandizes, or other Chattles, or Personal Estate whatsoever, within Great Britain, or without, belonging to, or in Trust for them; (except and out of the Premisses deducted such Sums as he, she, or they do bona fide owe, and such Debts owing to them, as shall be adjudged desperate by the respective Commissioners appointed by this Act; and also except the Stock upon Lands, and such Goods as are used for Houshold-stuff, and also except such Loans and Debts as are or shall be owing from his Majesty to any Person or Persons) shall yield and pay unto his Majesty the Sum of Two Shillings in the Pound, according to the true yearly Value thereof, for One Year, (that is to say) for every One hundred Pounds of such ready Money and Debts, and for every hundred Pounds worth of such Goods, Wares, and Merchandizes, or other Chattles or Personal Estate, the Sum of Ten Shillings, and so after that Rate, for every greater or less Sum, or Quantity, to be assessed, levied, and collected, in Manner herein after-mentioned; and that all and every Person and Persons, and all and every Commissioner and Commissioners, having, using, or exercising any publick Office or Employment of Profit, in England, Wales, or Berwick as aforesaid, and all and every their Clerks, Agents, Secondaries, Substitutes, and other inferior Ministers whatsoever (such Military Officers, who are or shall be in Muster by the Muster-master General of His Majesty's Army, or in Pay in His Majesty's Army or Navy, in respect of such Offices only, excepted) shall, towards raising the said respective Sums before in this Act charged upon the respective Counties, Cities, Boroughs, Towns, and other Places of England, Wales, and Berwick, as aforesaid, yield and pay unto his Majesty the Sum of Two Shillings for every Twenty Shillings, which he, she, or they do receive in One year, by virtue of any Salaries, Gratuities, Bounty-money, Rewards, Fees, Profits, Perquisites,

Employments of Profit (except Military Officers of the Army or Navy) to pay 2 s. per Pound.

sites, or Advantages whatsoever, to him, her, or them accruing, for or by Reason or Occasion of such their several Offices or Employments; and that all and every Person and Persons, Guilds, Fraternities, Bodies Politick and Corporate, having an Annuity, Pension, Stipend, or other yearly Payment, either out of the Receipt of His Majesty's Exchequer in England, or out of any Branch of His Majesty's Revenue in England, Wales, or Berwick, or payable, or secured to be paid, by any Person or Persons whatsoever, in England, Wales, or Berwick (not being or issuing out of any Lands, Tenements, or Hereditaments, or charged upon the same, touching which other Directions are given by this Act, and not being Annuities or yearly Payments, which by any Act or Acts of Parliament made, or to be made, are or shall be especially exempted from the Payment of Taxes or Aids) shall, towards raising the said respective Sums before by this Act charged upon the respective Counties, Cities, Boroughs, Towns, and other Places of England, Wales, or Berwick, as aforesaid, yield and pay unto His Majesty the Sum of Two Shillings for every Twenty Shillings by the Year, for every such Annuity, Pension, Stipend, or yearly Payment respectively, and after that Rate for One whole Year: The said several Rates and Sums of Money hereby granted, to be assessed, imposed, levied, and collected, in such Manner, as herein after is mentioned. Pensions and Annuities out of the Exchequer, &c. to pay, &c.

And to the end the full and entire Sum by this Act charged upon the several Counties, Cities, Boroughs, Towns, and Places respectively, of England, Wales, and Berwick, as aforesaid, may be fully and completely raised and paid to His Majesty's Use; be it further enacted by the Authority aforesaid, That all and every Manors, Messuages, Lands, and Tenements; and also all Quarries, Mines of Coal, Tin, and Lead, Copper, Mundick, Iron, and other Mines, Iron-mills, Furnaces, and other Iron-works, Salt-springs, and Salt-works, all Allom-mines, and Works; all Parks, Chaces, Warrens, Woods, Underwoods, Coppices, and all Fishings, Tythes, Tolls, Annuities, and all other yearly Profits; and all Hereditaments, of what Nature or Kind soever they be, situate, lying and being, happening or arising, within the several and respective Counties, Cities, Boroughs, Towns, or Places aforesaid respectively, or within any Parts of the same, as well within ancient Demesne, and other Liberties and privileged Places, as without, within that Part of Great Britain called England, Wales, or Berwick, as aforesaid; and all and every Person and Persons, Bo- Lands, Tenements, Mines, &c.

dies Politick and Corporate, Guilds, Myſteries, Fraternities, and Brotherhoods, whether Corporate or not Corporate, having or holding any ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, or other the Premiſſes, in reſpect thereof, ſhall be charged with as much Equality and Indifference as is poſſible, by a Pound-rate, for or towards the ſaid ſeveral and reſpective Sums by this Act ſet or impoſed, or intended to be ſet and impoſed, for and upon all and every ſuch Counties, Cities, Boroughs, Towns, or other Places, hereby charged therewith as aforeſaid, ſo that by the ſaid Rates ſo to be tared or aſſeſſed, for or upon the ſaid ready Money, Debts, Goods, Wares, Merchandizes, Chattles, or Perſonal Eſtates, and for and upon the ſaid Offices and Employments of Profit, and for and upon the Penſions, Annuities, Stipends, or yearly Payments aforeſaid, and for and upon the ſaid Manors, Meſſuages, Lands, Tenements, and Hereditaments, and other the Premiſſes, according to the Purport and true Meaning of this preſent Act, the full and entire Sums hereby appointed to be raiſed in England, Wales, and Berwick as aforeſaid, ſhall be completely and effectually tared, aſſeſſed, levied, and collected, and ſhall be paid into the Receipt of His Majeſty's Exchequer, by Four quarterly Payments; the Firſt Payment thereof to be made on or before the Twenty-fourth Day of June, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty three.

to be charged with Equality and Indifference, &c.

Lands, &c. ſubject to Rent-charges, Annuities, &c.

And whereas many of the Manors, Meſſuages, Lands, Tenements, Tithes, Hereditaments, and Premiſſes, in England, Wales, and Berwick upon Tweed, intended by this Act to be charged with the Pound-rate as aforeſaid, ſtand incumbered with, or are ſubject or liable to, the Payment of ſeveral Rent-charges or Annuities, or other annual Payments iſſuing out of the ſame, or to the Payment of divers Fee-farm Rents, Rent-ſervice, or other Rents thereupon reſerved or charged, by reaſon whereof the true Owners and Proprietors of ſuch Manors, Meſſuages, Lands, Tenements, or Hereditaments, do not in truth receive to their own Uſe the true yearly Value of the ſame, for which nevertheleſs they are by this Act chargeable with a certain Pound-rate; it is therefore declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Landlords, Owners, and Proprietors of ſuch Manors, Meſſuages, Lands, Tenements, Hereditaments, and Premiſſes, in England, Wales, and Berwick upon Tweed, being charged with a Pound-rate as aforeſaid, to abate and deduct, and to detain and keep

Landlords may deduct the Tax.

keep in his, her, or their Hands, out of every ſuch Fee-farm Rent, or other annual Rent or Payment, ſo much of the ſaid Pound-rate, which ſhall be tared or aſſeſſed upon the ſaid Manors, Meſſuages, Lands, and Premiſſes, as a like Rate for every ſuch Fee-farm Rent, or other annual Rent or Payment reſpectively, ſhall by a juſt Proportion amount unto, ſo as ſuch Fee-farm Rent, or other annual Rent or Payment reſpectively, do amount unto Twenty Shillings per Annum, or more; and all and every Perſon or Perſons, who are or ſhall be any ways intitled to ſuch Rents or annual Payments, their reſpective Auditors, Reeves, Receivers, and their Deputy or Deputies, are hereby required to allow ſuch Deductions and Payments, according to ſuch Rates, upon Receipt of the Reſidue of ſuch Monies, as ſhall be due and payable to them for ſuch Rents or annual Payments reſerved or charged as aforeſaid, without any Fee or Charge for ſuch Allowance.

Commiſſioners of the Land Tax for the Years 1748, 1749, and 1751, to put this Act in Execution.

And be it further enacted by the Authority aforeſaid, That for the better aſſeſſing, ordering, levying, and collecting of the ſeveral Sums of Money, ſo as aforeſaid, limited and appointed to be raiſed and paid in the aforeſaid Part of Great Britain called England, Wales, and Berwick upon Tweed, and for the more effectual putting of this Act in Execution in Reference to the ſame, all and every the Perſon and Perſons, who in and by the Act of Parliament, made and paſſed in the Twenty firſt Year of His Majeſty's Reign, intituled, An Act for granting an Aid to His Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year One thouſand ſeven hundred and forty eight; **and by One other Act of Parliament of the Twenty ſecond Year of His Majeſty's Reign, intituled,** An Act for rectifying Miſtakes in the Names of ſeveral of the Commiſſioners appointed to put in Execution the Act for granting a Land Tax for the Year One thouſand ſeven hundred and forty eight; and for appointing other Commiſſioners, together with thoſe named in the ſaid Act, to put in Execution an Act for granting a Land Tax for the Year One thouſand ſeven hundred and forty nine; and for directing the Names of Collectors of the ſaid Tax to be certified to the Receivers General; and for Relief of the Borough of *Honiton*, as to Arrears of the Land Tax, and the Houſe and Window Taxes, for the Years One thouſand ſeven hundred and forty ſeven, and One thouſand ſeven hundred and forty eight, **and alſo by One other Act of Parliament of the Twenty fourth Year of His Majeſty's Reign, intituled,** An Act for granting an Aid to

to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty one, or by any or either of those Acts, or by any other Act to which they, or any of them, have Relation, were named and appointed Commissioners for putting in Execution the same Act, within the several Counties, Cities, Boroughs, Cinque-ports, Towns, and Places of England, Wales, and Town of Berwick upon Tweed, being still living, and duly qualifying themselves according to this Act in that Behalf, shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same Counties, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places respectively; which said Commissioners shall put in Execution this present Act, and the Powers therein contained, within and for the same Counties, Ridings, Cities, Boroughs, Cinque-ports, Towns, and Places respectively.

Commissioners to meet on or before the 28th of *April*, 1753.

And be it further enacted and declared, That the several Commissioners aforesaid, shall meet together at the most usual and common Places of Meeting within each of the said Counties, Ridings, Cities, Boroughs, Cinque-ports, Towns and Places respectively, within England, Wales, and Berwick upon Tweed, for which they are appointed Commissioners as aforesaid, on or before the Twenty eighth Day of April, One thousand seven hundred and fifty three, and shall meet afterwards in like Manner, as often as it shall be necessary, for putting so much of this Act in Execution, as is hereby committed to their Care and Charge; and the said Commissioners, or so many of them as shall be present at such General Meeting or Meetings, or the major Part of them, are hereby authorized and required to put so much as aforesaid, of this present Act in Execution, and shall ascertain and set down in Writing the several Proportions which ought to be charged upon every Hundred, Lathe, Wapentake, Rape, Ward, or other Division respectively, within England, Wales, and Berwick upon Tweed, for and towards the raising and making up the whole Sum before by this Act charged upon the whole County, City, or other Places for which they are hereby appointed Commissioners, by charging in Proportion to the Sums which were assessed on the same Hundreds or Divisions respectively, by an Act of Parliament made and passed in the Fourth year of the Reign of Their late Majesties King William and Queen Mary, of blessed Memory (intituled, An Act for granting to Their Majesties an Aid of Four Shillings in the Pound for One Year, for

as by the Act 4 *W. & M.*

carrying

carrying on a vigorous War against *France*) and shall also, if they see Cause, subdivide and distribute themselves, and the other Commissioners not then present, into less Numbers, so as Three or more of the said Commissioners may be appointed for the Service of each Hundred, Lathe, Wapentake, Rape, Ward, or other Division, as may best conduce to the carrying on His Majesty's Services hereby required; nevertheless not thereby to restrain the said Commissioners, or any of them, from acting as Commissioners in any other Part of the County or Place for which they are appointed.

and may subdivide themselves, &c.

And for the more effectual Performance thereof, be it enacted and declared, That the Commissioners at such General Meeting, or the major Part of them then present, shall also agree and set down in Writing, who, and what Number of the said Commissioners shall act in each of the said Divisions or Hundreds, and shall deliver true Copies of such Writings to the Receiver-general, to be appointed by His Majesty, or in pursuance of His Directions, to the end there may be no Failure in any Part of the due Execution of the Service by this Act required: And the said Commissioners within the several Hundreds, Lathes, Wapentakes, Rapes, Wards, or other Divisions, in England, Wales, and Berwick upon Tweed, or any Two or more of them, are hereby authorized and required to cause the several Proportions charged on the respective Hundreds, Lathes, Wapentakes, Rapes, Wards, or other Divisions, as aforesaid, for or towards the Aid hereby granted, to be equally taxed and assessed within every such Hundred, Lathe, Wapentake, Rape, Ward, or other Division, and within every Parish and Place therein, according to the best of their Judgements and Discretions; and for that End and Purpose to direct their several or joint Precept or Precepts to such Inhabitants, high-constables, Petty-constables, Bailiffs, and other Officers and Ministers, and such Number of them, as they in their Discretions shall think most convenient, to be Presentors and Assessors, requiring them to appear before the said Commissioners at such Place and Time, not exceeding Eight Days after the Date of such Precept, as they shall appoint; and at such their Appearances, the said Commissioners, or such of them as shall be then present, shall openly read, or cause to be read unto them, the several Rates, Duties, and Charges in this Act mentioned, and openly declare the Effect of their Charge to them, and how, and in what Manner they should and ought to make their said Assessments, and how they ought to proceed in

A List of the Commissioners to act in each Division, to be given to the Receiver-general.

Commissioners to summon fit Persons to be Assessors, who are to appear before them in 8 Days;

and then to give them a Charge.

the Execution of this Act, according to the true Meaning of the same. And if any such Constable, Petty-constable, Bailiff, Officer, or Minister, or other Inhabitants, to whom any Precept shall be directed, shall absent themselves without lawful Excuse, to be made out by the Oath of Two or more credible Witnesses (which Oaths the said Commissioners, or any Two or more of them, are hereby impowered to administer) or if any Officer or Person appearing shall refuse to serve; then every such Officer or Person so making Default, or refusing to serve, shall, for every such Default or Refusal, forfeit or lose to His Majesty such Sum or Sums of Money, as the said Commissioners, or so many of them as shall be present, or the major Part of them being present, shall think fit, not exceeding the Sum of Five Pounds, nor less than Forty Shillings; and at and after such Charge given as aforesaid, the said Commissioners shall take Care that Warrants be issued forth, and directed to Two at least of the most able and sufficient Inhabitants of each Parish, Township, or Place within the respective Divisions, thereby appointing and requiring them to be Assessors of all and every the Rates and Sums of Money by this Act imposed; and shall also therein appoint and prefix a certain Day and Place for the said Assessors to appear before them, and to bring in their Assessments in Writing; which said Assessors are hereby strictly enjoined and required, with all Care and Diligence, to assess the full Sum given them in Charge respectively upon all ready Money, Debts, Personal Estates, Offices, Employments, Annuities, and Pensions, chargeable as aforesaid, according to this Act, and by an equal Pound-rate upon all Manors, Lands, Tenements, Rents, Hereditaments, and other the Premisses, within the Limits, Circuits, and Bounds of the respective Parishes or Places, for which they shall be appointed Assessors as aforesaid; and shall bring with them at the Time and Place, so as aforesaid prefixt for their Appearance, a Certificate in Writing of the said Assessment, and shall then also return the Names of Two or more able and sufficient Persons, living within the Limits and Bounds of those Parishes, Townships, Constablewicks, and Places, where they shall be chargeable respectively, to be Collectors of the Monies which shall be assessed as aforesaid, and to be paid to His Majesty by this Act; for whose paying in to the Receiver-general, or his Deputy, in Manner herein after-mentioned, such Monies as they shall be chargeable withal, the Parish or Place wherein they are so employed shall be answerable;

Persons absenting, or refusing to serve, forfeit, not exceeding 5 *l.* nor less than 40 *s.*

Assessors to be Two at least, and sufficient Inhabitants.

Assessments to be brought in at a Day and Place prefixt.

The full Sum charged to be assessed.

A Certificate of the Assessment to be brought in, with the Collectors Names.

and if any Aſſeſſor ſo appointed, or to be appointed, ſhall neglect or refuſe to ſerve, or ſhall make Default at the Time appointed for his Appearance, not having lawful Excuſe, to be witneſſed by the Oaths of Two credible Witneſſes (which Oaths the ſaid Commiſſioners, or any Two or more of them, have hereby Power to adminiſter) or ſhall not perform his Duty; every ſuch Aſſeſſor ſhall, for every ſuch Neglect, Refuſal, or Default, forfeit and loſe to His Majeſty, ſuch Sum as the Commiſſioners, or ſo many of them as ſhall be preſent, or the major Part of them ſhall think fit, not exceeding the Sum of Forty Pounds, and to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, in like Manner as by this Act is appointed for levying the ſeveral Rates and Aſſeſſments herein mentioned, in caſe of Neglect or Refuſal of Payment, and to be charged upon the reſpective Receivers-general, together with the ſaid Rates and Aſſeſſments. And for completeing the whole Sum charged to be raiſed in England, Wales, and Berwick upon Tweed, as aforeſaid; and to the end the aforeſaid Sums, charged upon the ſeveral and reſpective Counties, Ridings, Cities, Boroughs, Towns, and Places, for or towards the ſame, may be duly collected, and true Accounts thereof made, the ſaid Aſſeſſors are hereby required to deliver One Copy of their reſpective Aſſeſſments, fairly written and ſubſcribed by them, unto the ſaid Commiſſioners, within the Time to be preſixed as aforeſaid: And the ſaid Commiſſioners, or any Three or more of them, are hereby required and ordered to ſign and ſeal Two Duplicates of the ſame Aſſeſſments; and One of them to deliver, or cauſe to be delivered, to Two or more honeſt and reſponſible Perſons to be Collectors, which the ſaid Commiſſioners are hereby authorized to nominate and appoint for each Pariſh or Place, with Warrant to the ſaid Collectors to collect the ſame Aſſeſſments, payable as aforeſaid, ſo as the ſaid ſeveral Sums may be paid to the Receiver-general at the reſpective Times hereby limited: And the ſaid Commiſſioners are hereby alſo required, at the ſame Time, to give the ſaid Collectors Notice at what Time or Times, Place or Places, the Appeals of any Perſon or Perſons, who ſhall think themſelves aggrieved by being over-rated by the ſaid Aſſeſſors, may be heard and determined; which Day or Days of Appeal, ſo to be appointed by the ſaid Commiſſioners, ſhall be at leaſt Thirty Days from the Time of ſigning, ſealing, and delivering the ſaid Duplicates to the ſaid Collectors; and every ſuch Collector is hereby alſo required, within Ten Days after the

Aſſeſſors, &c. neglecting their Duty, to be fined not above 40*l.*

Aſſeſſors to deliver one Copy of the Aſſeſſments to the Commiſſioners.

Duplicates thereof to be ſigned, &c. and one delivered to the Collectors, &c. with Warrant for collecting.

Commiſſioners required to give Collectors Notice at what Time and Place the Appeals of any Perſon who ſhall think himſelf aggrieved by being over-rated, may be heard and determined.

the Receipt of such Duplicates from the said Commissioners, to cause publick Notice to be given in every Parish Church, or Chapel of Ease belonging to any such Parish, within his District or Division, immediately after Divine Service on the Lord's Day (if any such Divine Service shall be performed therein within that Time) of the Time and Place so appointed by the said Commissioners for hearing and determining Appeals as aforesaid; and shall also cause the like Notices to be fixed in Writing upon the Door of each of the said respective Parish Churches, or Chapels of Ease belonging to any such Parishes, on the same Day, that all Persons who shall think themselves over-rated may know when and where to make their Appeal to the said Commissioners; and the said Collectors are hereby also required, upon the Application of any Person or Persons who shall think himself or themselves over-rated to the said Rates and Assessments, to permit such Person or Persons, or their Stewards or Bailiffs, or other proper Representatives, to inspect the Duplicates of such Rates or Assessments upon the Division or District of which he is Collector, at all seasonable Times in the Day, without any Fee or Reward for the same; and every Person so intending to appeal to the said Commissioners, shall and is hereby required to give Notice thereof in Writing to One or more of the Assessors of the Parish wherein he is rated, of such his Intention to appeal, that such Assessor or Assessors, if they shall think proper, may then and there attend to justify the said Assessment; and it is hereby declared, that all Appeals once heard and determined by the said Commissioners, or any Three or more of them, or the major Part of them then present, on the Day or Days by them appointed for hearing Appeals as aforesaid, shall be final, without any further Appeal upon any Pretence whatsoever: And the said Commissioners are hereby required to deliver, or cause to be delivered, a Schedule or Duplicate in Parchment, under their Hands and Seals, fairly written, containing the whole Sum assessed upon each Parish or Place, unto the Receiver-general of each County, Riding, City, Borough, Town, and Place respectively, in England, Wales, and Berwick upon Tweed, or his Deputy; and shall transmit, or cause to be transmitted, a like Schedule or Duplicate into the King's Remembrancer's Office of the Exchequer; and this the said Commissioners shall cause to be done upon or before the Eighth Day of August, One thousand seven hundred and fifty three, or within Twenty Days after (all Appeals to them being first determined) for which Duplicates the Remembrancer,

A Duplicate in Parchment to be delivered to the Receiver-general;

and one to the Remembrancer's Office, by 8 *Aug.* 1753. or 20 Days after all Appeals first determined.

Remembrancer, or his Deputy, shall give to the Person who brings the same, a Receipt in Writing, gratis, under the Penalty of Ten Pounds, to be recovered to the King's Use, as other Penalties are by this Act recoverable.

Remembrancer to give Receipts *gratis*, on Penalty of 10*l.*

And be it further enacted by the Authority aforesaid, That the Persons so appointed to be Collectors, as aforesaid, in England, Wales, and Berwick upon Tweed, shall levy and collect all and every the Rates and Taxes so assessed and charged, according to the Intent and Direction of this Act; which said Collectors are hereby required to demand all and every the Sum and Sums of Money, which shall be so taxed and assessed, of the Parties themselves, as the same shall become due, if they can be found, or else at the Place of their last Abode, or upon the Premisses charged with the Assessment: And the said several Collectors shall collect and levy the said Monies so charged for His Majesty's Use, and are hereby required and enjoined to pay unto the Receivers-general, or their Deputies, all and every the said Rates and Assessments by them respectively collected and received, at such Time or Times, Place or Places, as the said Commissioners, or any Two or more of them, shall appoint, so as the whole Sums due for each quarterly Payment shall be paid or answered by the said Collectors to the Receivers-general, or their Deputies respectively, upon the Days and at the Times by this Act appointed for Payment thereof.

The Rates to be levied on the Parties, or Premisses,

and to be paid to the Receivers-general, *&c.*

And be it further enacted and declared by the Authority aforesaid, That the Money received by the said Collectors within their respective Divisions or Hundreds, as aforesaid, shall, from time to time, be duly paid to the Receiver-general, or his Deputy or Deputies, to be appointed under his Hand and Seal, whereof Notice under the Hand and Seal of the respective Receivers-general shall be given to the Commissioners, or any Two or more of them, within the respective Divisions or Hundreds, as aforesaid, within Ten Days after the next General Meeting, and so, from time to time, within Ten Days after every Death or Removal of any Deputy, if any such should happen; and the Receipt of such Receiver-general, his Deputy or Deputies, or any of them (which Receipt or Acquittance shall be given gratis to the Collectors for all Money by them paid) shall be a sufficient Discharge to every such Collector; and the particular Collectors aforesaid are hereby required to pay in all and every the Sums so received by them, to the said Receivers-general, or other Deputy or Deputies; for the Payment whereof the said

The Money collected to be paid to the Receiver-general, or Deputies; and they to give Commissioners Notice.

Collectors not obliged to travel above 10 Miles.

Collectors shall not be obliged to travel above Ten Miles from the Place or Places of their Inhabitations.

Removal or Death of Receiver-general to be notify'd to Commissioners.

And be it further enacted by the Authority aforesaid, That if any Receiver-general of any such County or Place shall die, or be removed, or if any such Receiver-general for the last Aid shall not be appointed for the present, Notice thereof shall be given by the Commissioners for the Affairs of Taxes to Two or more Commissioners acting for each Division in such County or Place before the Time appointed by this Act for the first quarterly Payment of the Aid hereby granted, and so, from time to time, upon the Death or Removal of any such Receiver-general; any thing herein contained to the contrary thereof notwithstanding.

248,743*l.* 3*s.* 6*d.* for the first quarterly Payment, to be paid to the Receivers by 24 *June*, 1753.

And be it further enacted, That the Sum of Two hundred forty eight thousand seven hundred forty three Pounds, Three Shillings, and Six Pence, for the First quarterly Payment of the said Assessments for England, Wales, and Berwick upon Tweed, shall be levied, collected, and paid unto the Receivers-general of the said several Counties, Cities, and other Places, who shall be appointed as aforesaid, on or before the Twenty fourth Day of June, One thousand seven hundred and fifty three; and the Sum of Two hundred forty eight thousand seven hundred forty three Pounds, Three Shillings, and Six Pence, for the Second Payment of the said quarterly Payments, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty three; and the Sum of Two hundred forty eight thousand seven hundred forty three Pounds, Three Shillings, and Six Pence, for the Third of the said quarterly Payments, on or before the Twenty fifth Day of December, One thousand seven hundred and fifty three; and the Sum of Two hundred forty eight thousand seven hundred forty three Pounds, Three Shillings, and Six Pence, for the last of the said quarterly Payments, on or before the Twenty fifth Day of March, One thousand seven hundred and fifty four, in full of the said Sum of Nine hundred ninety four thousand nine hundred seventy two Pounds, Fourteen Shillings.

The second Payment by 29 *Sept.* 1753.

The third Payment by 25 *Decem.* 1753.

The last Payment by 25 *March*, 1754.

Receiver-general within a Month after receiving the full Sum charged, to give the Commissioners a Receipt:

And be it further enacted by the Authority aforesaid, That every Receiver-general in England, Wales, and Berwick upon Tweed, from time to time, within the Space of One Month next after he shall have received the full Sum that shall be charged on any Hundred or Division, for such particular Payment that is to be made to such Receiver-general by virtue of this Act, shall give to such Commissioners

Commissioners as shall sit in such Division or Hundred, a Receipt under his Hand and Seal, acknowledging the Receipt of the full Sum charged upon such Hundred or Division for such particular Payments; which Receipt shall be a full Discharge to each Hundred or Division for such particular Payment, against his Majesty, his Heirs, and Successors; which said Receivers-general are hereby required forthwith, or at furthest within Twenty Days after the Receipt of any Money of the Taxes or Duties by this Act granted, to transmit, or cause to be paid, the Money by them received into the Receipt of his Majesty's Exchequer; and the Lords Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the time being, are hereby authorized to allow to the said Receiver-general of each County, Riding, City, and Town respectively, in England, Wales, or Berwick upon Tweed, a Salary for his Pains, not exceeding Two Pence in the Pound, for so much as he shall pay into the Exchequer, upon the clearing of his Accounts.

Which shall be a full Discharge for Payment.

Receivers-general within 20 Days to pay the Monies into the Exchequer.

Receiver-general allowed 2 *d.* in the Pound.

And be it further enacted and declared by the Authority aforesaid, That the Collectors of the aforesaid Rates and Assessments, in England, Wales, and Berwick upon Tweed, hereby granted, for gathering the particular Sums charged upon the Parish or Place for which they shall be appointed Collectors by virtue of this Act, and for giving Receipts to the Person or Persons of whom they receive the same, shall, upon Collection of the whole Sum appointed to be collected by them, and Payment thereof, as is hereby before appointed, have and receive for their Pains in collecting and paying the Money, Three Pence in the Pound, which the said Collectors are impowered to detain out of the last Payment of the Monies of their several and respective quarterly Payments; and the said Receiver-general, upon the Receipt of the whole Assessments of the County, Riding, City, or Town, for which he is appointed Receiver-general (in case he shall have received the several Duplicates of each Parish or Place therein, and that Duplicates shall be returned to the Office of his Majesty's Remembrancer of the Exchequer, as aforesaid, and not otherwise) shall allow and pay, according to such Warrant as shall be given in that Behalf, by the said Commissioners, or any Two or more of them, Three Halfpence in the Pound, and no more, for the Commissioners Clerks, for their Pains in fair writing the Assessments, Duplicates, and Copies, herein before directed, and all Warrants, Orders, and Instructions relating thereunto.

Collectors to have 3 *d.* in the Pound.

Commissioners Clerks to have Three Halfpence in the Pound.

Collectors may levy by Distress in case of Refusal of Payment;

And be it further enacted and declared, That if any Person shall refuse or neglect to pay any Sum or Sums of Money, whereat he, she, or they shall be rated or assessed in England, Wales, or Berwick upon Tweed, by this Act, upon Demand, by the said Collector or Collectors of that Place, according to the Precepts or Estreats to him or them delivered by the said Commissioners, that then, and in all and every such Case and Cases, it shall and may be lawful to and for the said Collectors, or any of them, and they are hereby authorized and required to levy the Sum assessed by Distress and Sale of the Goods and Chattles of such Person so neglecting or refusing to pay, or distrain upon the Messuages, Lands, Tenements, and Premisses so charged with any such Sum or Sums of Money, and the Goods and Chattles then and there found, and the Distress so taken, to keep by the Space of Four Days, at the Costs and Charges of the Owners; and if the said Owners do not pay the Sum or Sums of Money so rated or assessed within the said Space of Four Days, then the said Distress to be appraised by Two or more of the Inhabitants where the same shall be taken, or other sufficient Persons, and to be sold by the said Collectors for Payment of the said Money; and the Overplus coming by such Sale (if any be) over and above the Tax and Charge of taking and keeping the said Distress, to be immediately returned to the Owners thereof; and moreover, that it shall be lawful to break open, in the Day-time, any House, and, upon Warrant under the Hands and Seals of any Two or more of the said Commissioners, any Chest, Trunk, Box, or other Thing, where any such Goods are, calling to their Assistance the Constables, Tythingmen, or Headboroughs, within the Counties, Ridings, Cities, Towns, or Places, where any Refusal, Neglect, or Resistance shall be made; which said Officers are hereby required to be aiding and assisting in the Premisses, as they will answer the contrary at their Perils; and if any Question or Difference shall happen upon taking such Distress, the same shall be determined and ended by the said Commissioners, or any Two or more of them; and if any Person or Persons assessed by this Act, in England, Wales, or Berwick upon Tweed, as aforesaid, shall neglect or refuse to pay his, her, or their Assessment by the Space of Ten Days after Demand, as aforesaid, or convey any of his, her, or their Goods, or other Personal Estate, whereby the Sums of Money so assessed cannot be levied according to this Act; in every such Case, any Two or more of the Commissioners

Distress to be kept Four Days at the Owner's Charge;

then appraised and sold, and Overplus returned, &c.

Lawful to break open Houses in the Day-time, &c.

Commissioners to determine Differences about Distress.

ers aforesaid, for any City, County, or Place, are hereby authorized, by Warrant under their Hands and Seals, to commit such Person or Persons (except a Peer or Peeress of Great Britain) to the Common Gaol, there to remain without Bail or Mainprize, until Payment be made of the Money assessed, and the Charges for bringing in the same be paid, and no longer: And the several and respective Tenant and Tenants of all Houses, Lands, Tenements, and Hereditaments in England, Wales, and Berwick upon Tweed, which shall be rated by virtue of this Act, are hereby required and authorized to pay such Sum or Sums of Money, as shall be rated upon such Houses, Lands, Tenements, or Hereditaments, and to deduct out of the Rent so much of the said Rate, as in respect of the said Rents of any such Houses, Lands, Tenements, and Hereditaments, the Landlord should and ought to pay and bear: And the said Landlords, both mediate and immediate, according to their respective Interests, are hereby required to allow such Deductions and Payments, upon Receipt of the Residue of the Rents.

(Except a Peer or Peeress of *Great Britain*)

Tenants to pay the Tax,

and deduct so much out of their Rents.

And be it enacted and declared, That every Tenant, paying the said Assessment or Assessments last mentioned, shall be acquitted and discharged of so much Money as the said Assessment or Assessments shall amount unto, as if the same had actually been paid unto such Person or Persons, to whom his Rent shall have been due and payable: And if any Difference shall arise between Landlord and Tenant, or any other, concerning the said Rates in England, Wales, or Berwick upon Tweed, the said several Commissioners, or any Two or more of them, in their several Divisions, shall have, and they have hereby Power to settle the same, as they shall think fit; and in case the Proportions set by this or any former Act upon all and every the respective Counties, Ridings, Cities, Towns, and Places in England, Wales, and Berwick upon Tweed, shall not be fully assessed, levied, and paid, according to the true Meaning thereof; or if any of the said Assessments shall be rated or imposed upon any Person not being of Ability to pay the same, or upon any empty or void House or Land, where the same cannot be collected or levied, or that through any Wilfulness, Neglect, Mistake, or Accident, the said Assessment charged on each County, Riding, City, Town, or Place, as aforesaid, by virtue of this or any former Act, happens not to be paid to the Receiver-general, his Deputy or Deputies, as in this or any former Act is directed; that then, and in all and every such Case and Cases, the several

Tenants discharged for what they so pay.

Commissioners to settle Differences between Landlord and Tenant.

Commissioners to cause all Deficiencies to be re-assessed, and made good.

and respective Commissioners, Assessors, and Collectors, aforesaid, and every of them respectively, are hereby authorized and required to assess and re-assess, or cause to be assessed or re-assessed, levied, and paid, all and every such Sum and Sums of Money, upon the respective Divisions or Hundreds, wherein such Deficiency shall happen, or Parishes therein, as to the said Commissioners, or such Number of them, as by this Act are authorized, to cause the said first Assessment hereby required to be made, shall seem most agreeable to Equity and Justice; the said new Assessment to be made, collected, and paid, in such Manner, and by such Means, as in this Act for other Assessments is declared and directed.

A Assessor refusing to serve, to forfeit, not exceeding 40 *l.*

And be it further enacted and declared by the Authority aforesaid, That if any Assessor, Collector, or other Person or Persons, shall wilfully neglect or refuse to perform his or their Duty in the due and speedy Execution of this present Act, or shall be guilty of any Fraud or Abuse in executing the same, the said respective Commissioners, or any Three or more of them, have hereby Power to impose on such Person or Persons, so neglecting or refusing his or their Duties, or being guilty of such Fraud or Abuse, such Fine or Fines, as by them shall be thought fit, so the same exceed not the Sum of Forty Pounds; which said Fines shall not be taken off or discharged, but by the Consent of the Majority of the Commissioners who imposed the same, but shall be levied by Warrant under the Hands and Seals of the said Commissioners, or any Two or more of them, by Distress and Sale of the Goods and Chattles of the Offenders; and in Default of Goods and Chattles, the Offender (not being a Peer or Peeress, as aforesaid) to be committed by Warrant under the Hands and Seals of the said Commissioners, or any Two or more of them, to Prison, there to remain till Payment of the said Fine; and all Fines to be imposed by virtue of this Act, in England, Wales, and Berwick upon Tweed, shall be paid to the Receivers-general, and by them into the Receipt of his Majesty's Exchequer; and shall be inserted in the Duplicates in Parchment fairly written, to be transmitted to the Office of the King's Remembrancer as aforesaid, that the same may be thereby known, and charged in his Accounts.

Fine not to be discharged but by Commissioners, who imposed it; and levied by Distress or Imprisonment,

and paid into the Exchequer,

and inserted in the Duplicates.

Collectors detaining the Money, to be imprisoned, and their Estates seized and sold, &c.

And be it further enacted and declared, That if any Collector or Collectors, which shall be, by virtue of this Act, appointed for the Receipt of any Sum or Sums of Money thereby to be assessed in England, Wales, or Berwick upon Tweed, shall refuse or neglect to pay any Sum or Sums of Money, which shall be by him or them received,

received, as aforesaid, and to pay the same as in this Act is directed, or shall detain in his or their Hands any Money received by him or them, or any of them, and not pay the same, as by this Act is directed; the said Commissioners of each County, City, Riding, or Town respectively, or any Two or more of them, in their respective Divisions, are hereby authorized and impowered to imprison the Person, and seize and secure the Estate, as well Freehold as Copyhold, and all other Estate, both Real and Personal, of such Collector, to him belonging, or which shall descend or come into the Hands or Possession of his Heirs, Executors, or Administrators, wheresoever the same can be discovered or found; and the said Commissioners, who shall so seize or secure the Estate of any Collector or Collectors, shall be, and are hereby impowered to appoint a Time for a General Meeting of the said Commissioners for such County, Riding, City, Town, or Place, and there to cause publick Notice to be given of the Place where such Meeting shall be appointed, Six Days at least before such General Meeting; and the Commissioners present at such General Meeting, or the major Part of them, in case the Monies detained by any such Collector or Collectors be not paid and satisfied as it ought to be, according to the Directions of this Act, shall be, and are hereby impowered and required to sell and dispose of all such Estates, which shall be, for the Cause aforesaid, seized and secured, or any Part of them, to satisfy and pay into the Hands of the Receiver-general, or his Deputy, for such County, Riding, or Place, the Sum which shall be detained in the Hands of such Collector or Collectors, their Heirs, Executors, or Administrators respectively.

Commissioners to examine whether the Sums assessed be duly collected, &c.

And it is hereby further enacted and declared, That at the Expiration of the respective Times in this Act prescribed for the full Payment of the said quarterly Assessments in England, Wales, and Berwick upon Tweed, the several and respective Commissioners, or any Two or more of them, within their Division or Hundred, shall and are hereby required to call before them the Collectors within each respective Division or Hundred, Parish or Place, and to examine and assure themselves, of the full and whole Payment of the particular Sum and Sums of Money charged upon the same Division or Hundred, and every Parish and Place therein, and of the due Return of the same, into the Hands of the respective Receivers-general, their Deputy or Deputies, of the said Counties, Ridings, Cities, Towns, and Places respectively, and by such Receivers-general into the Receipt

ceipt of His Majesty's Exchequer; to the end there may be no Failure in the Payment of any Part of the Assessment, by virtue of this Act to be assessed and paid, nor any Arrears remaining chargeable upon any of the said Counties, Ridings, Cities, Towns, and Places respectively; and in case of any Failure in the Premisses, the said Commissioners, or any Two or more of them, are hereby authorized and required to cause the same to be forthwith levied and paid, according to the true Intent and Meaning of this Act.

In case of Controversies in assessing Commissioners, the Commissioners concerned to withdraw.

And it is hereby enacted and declared, That in case any Controversy arise concerning the said Assessments, or the dividing, apportioning, or Payment thereof, which concerns any of the Commissioners before by this Act appointed, that the Commissioners so concerned in the said Controversy, in their own Right, or in the Right of any other Person for whom they shall act as Steward, Agent, Attorney, or Solicitor, shall have no Voice, but shall withdraw at the Time of the Debate of such Controversy, until it be determined by the rest of the Commissioners; and in Default thereof, the Commissioners then present shall have Power, and are hereby required to impose such Fine or Fines, as to them shall be thought fit, upon such Commissioner so refusing to withdraw, not exceeding Twenty Pounds, and to cause the same to be levied and paid, as other Fines to be imposed by virtue of this Act are to be levied and paid; and all Questions and Differences which shall arise touching any of the said Rates, Duties, or Assessments, in England, Wales, and Berwick upon Tweed, or the collecting thereof, shall be heard and finally determined by the said Commissioners, in such Manner as by this Act is directed, upon Complaint thereof made to them by any Person or Persons thereby grieved, without further Trouble or Suit in Law, in His Majesty's Court of King's Bench, or any other Court whatsoever.

In Default to be fined, not above 20 *l.*

No Privileged Place or Person exempt from this Tax.

And be it further enacted and declared, That no Privileged Place or Person, Body Politick or Corporate, within the Counties, Ridings, Cities, and Towns aforesaid, in England, Wales, and Berwick upon Tweed, shall be exempted from the said Assessment and Taxes; but that they and every of them, and also all Fee-farm Rents, and all other Rents, Payments, Sum and Sums of Money, and Annuities, issuing out of, or payable for any Lands, shall be liable towards the Payment of every Sum by this Act to be taxed and levied; and all the Tenants are hereby directed and authorized to pay them proportionably, according to the Rates and Assessments by this Act

Fee-farm Rents, &c. to be taxed.

directed and appointed; and all such Tenants shall be hereby saved and kept harmless, by the Authority of this Act, from any further Payment of any such Proportion of such Rent, Rents, Sums of Money, or Annuities, to any Person or Persons to whom any such Rent, Rents, Sums of Money, or Annuities as aforesaid, should or ought to be paid, to all Intents and Purposes whatsoever, as fully and amply as if they had paid the same to any Person or Persons, to whom the same is or are reserved or become due. Tenants to pay the Rates.

Provided, That nothing in this Act contained shall extend to charge any College or Hall in either of the Two Universities of Oxford or Cambridge, or the Colleges of Windsor, Eaton, Winton, or Westminster, or the Corporation of the Governors of the Charity for the Relief of the poor Widows and Children of Clergymen, or the College of Bromley, or any Hospital in England, Wales, or Berwick upon Tweed, for or in respect of the Sites of the said Colleges, Halls, or Hospitals, or any of the Buildings within the Walls or Limits of the said Colleges, Halls, or Hospitals; or any Master, Fellow, or Scholar, or Exhibitioner of any such College or Hall, or any Reader, Officer, or Waiter of the said Universities, Colleges, or Halls, or any Masters or Ushers of any Schools in England, Wales, or Berwick upon Tweed, for or in respect of any Stipends, Wages, Rents, Profits, or Exhibitions whatsoever, arising or growing due to them, in respect of the said several Places or Employments in the said Universities, Colleges, or Schools; or to charge any of the Houses or Lands, which on or before the Five and twentieth Day of March, One thousand six hundred ninety three, did belong to the Sites of any College or Hall in England, Wales, or Berwick upon Tweed, or to Christ's Hospital, Saint Bartholomew, Bridewell, Saint Thomas, and Bethlehem Hospitals, in the City of London, and Borough of Southwark, or any of them; or to the said Corporation of the Governors of the Charity for the Relief of the poor Widows and Children of Clergymen, or the College of Bromley; or shall extend to charge any other Hospitals or Alms-houses in England, Wales, or Berwick upon Tweed, for or in respect only of any Rents or Revenues, which, on or before the said Five and twentieth Day of March, One thousand six hundred and ninety three, were payable to the said Hospitals or Alms-houses, being to be received and disbursed for the immediate Use and Relief of the Poor of the said Hospitals and Alms-houses only. Colleges, &c. in the Universities, &c. not chargeable: Nor any Master, Fellow, &c. Nor the Houses or Lands which before the 25th of *March*, 1693, did belong to *Christ's Hospital*, &c. Nor Corporation of Clergymens Sons, *Bromley* College, or any other Hospital.

Provided, That no Tenants, that hold and enjoy any Lands or Houses by Lease or other Grant from the said

No Tenants of Hospitals, &c. to claim any Exemption.

Corporation, or any of the said Hospitals or Alms-houses, do claim or enjoy any Freedom, Exemption, or Advantage by this Act; but that all the Houses and Lands, which they so hold, shall be rated and assessed for so much as they are yearly worth, over and above the Rents reserved and payable to the said Corporation, or to the said Hospitals or Alms-houses, to be received and disbursed for the immediate Support and Relief of the Poor of the said Hospitals and Alms-houses.

Such Tenants not discharged, who by Leases are obliged to pay Taxes.

Provided always, That nothing in this Act contained shall be construed or taken to discharge any Tenant of any the Houses or Lands belonging to the said Colleges, Halls, or Hospitals, Alms-houses, or Schools, or any of them, who by their Leases, or other Contracts, are and do stand obliged to pay and discharge all Rates, Taxes, and Impositions whatsoever; but that they, and every of them, shall be rated, and pay all such Rates, Taxes, and Impositions; any thing in this Act contained to the contrary notwithstanding.

Commissioners to determine how far Lands, &c. belonging to Hospitals, &c. not exempted by Name, ought to be charged.

And in case any Question hath been, or shall be made, how far any Lands or Tenements belonging to any Hospital or Alms-house in England, Wales, or Berwick upon Tweed, not exempted by Name out of this Act, ought to be assessed and charged by the Land Tax; be it enacted and declared, That the same shall be determined by the said Commissioners, or any Three or more of them, or the major Part of them then present, upon Appeal before them at the Day or Days by them appointed for the hearing and determining of Appeals; whose Determination in such Case shall be final.

All Hospital Lands, &c. assessed by 4 *W. & M.* liable to this Aid, and no other.

Provided always, and it is hereby enacted, That all such Lands, Revenues, or Rents, belonging to any Hospital or Alms-house, or settled to any charitable or pious Use, as were assessed in the Fourth Year of the Reign of Their late Majesties King William and Queen Mary, shall be, and are hereby adjudged to be liable to be charged towards the Payment of this present Aid; and that no other Lands, Tenements, or Hereditaments, Revenues, or Rents whatsoever, then belonging to any Hospital or Alms-house, or settled to any charitable or pious Uses, as aforesaid, shall be charged, taxed, or assessed by virtue of this present Act, towards the said Sum to be raised in England, Wales, and Berwick upon Tweed, as aforesaid; any thing herein contained to the contrary notwithstanding.

Receivers of Fee-farm Rents, &c. to allow 2 *s.* *per* Pound to the Parties, without Fee, on Penalty of 20 *l.*

And it is hereby further enacted, That all and every Auditors, Reeves, Receivers, and their Deputies, who audit or receive any Fee-farm Rents, or other chief Rents (arising in England, Wales, or Berwick upon Tweed)

Tweed) due to His Majesty, or to any Person or Persons claiming by any Grant or Purchase from or under the Crown, shall allow Two Shillings for every Pound of the said Rents, and a proportional Rate for any greater Sum than Ten Shillings, to the Party or Parties paying the same, without any Fee for such Allowance, upon the Penalty of Twenty Pounds to the Party grieved, to be recovered by Action of Debt, or upon the Case, together with Full Costs of Suit; any thing in this Act contained to the contrary thereof in any wise notwithstanding. And if any such Auditor of the Revenues, or any of them, belonging to His Majesty, or any Deputy, or any other Person acting for or on the Behalf of any such Auditor, shall, in the Account of any Reeve, Receiver, or otherwise, set insuper any Tenant or other Person, or make any such Tenant or other Person, or his or their Estate, liable to any Distress, Forfeiture, or Veration whatsoever, for any Sum or Sums of Money, which, by the true Intent and Meaning of this Act, ought to be allowed after the Rate of Two Shillings in the Pound, or shall refuse, neglect, or delay to allow, and finally discharge the same in the proper Accounts wherein the same ought to be allowed and discharged; that then, and for every or any such Offence, every such Auditor, or Deputy, or Person acting for such Auditor, shall forfeit the Sum of One hundred Pounds to the Party grieved, to be recovered as aforesaid, and shall be incapable to enjoy his Office or Place, or any Office or Place of Trust under His Majesty.

Auditors, &c. setting Tenants *insuper* for what ought to be allowed, or refusing Allowance, to forfeit 100*l.*

And be it further enacted and declared by the Authority aforesaid, That the Fee-farm Rents, for which a Deduction or Allowance, after the Rate of Two Shillings in the Pound, is intended to be made by this present Act, are such Fee-farm Rents only, as are answerable to His Majesty, or have been purchased from the Crown, by virtue of Two Acts of Parliament made in the Two and twentieth and Three and twentieth Years of the Reign of the late King Charles the Second, for and concerning the Sale of Fee-farm Rents, or One of them, and which were not, on or before the Five and twentieth Day of March, One thousand six hundred and ninety three, payable to any College, Hospital, Reader in either University, or any other Person or Persons before exempted by this Act; provided such Deduction or Allowance do not exceed the Sum assessed by virtue of this Act, upon the whole Estate or Estates, out of which such purchased Fee-farm Rent or Rents doth or do issue; and the Owners and Receivers of such Fee-farm Rents

Such Fee-farm Rents only to have an Allowance of 2*s.* *per* Pound, as are answerable to the Crown, or were purchased according to 22 & 23 *Car.* II.

The Owners to allow the same to the Party paying.

shall and are hereby required, on Payment of such Rents, to allow Two Shillings for every Twenty Shillings of the said Rents, and so in Proportion for any Sum, not less than Ten Shillings, to the Party or Parties paying the same; any thing in this Act contained to the contrary notwithstanding.

Lists of Pensions, &c. to be delivered *gratis* to the Assessors.

And be it enacted, That the Officers in the Receipt of His Majesty's said Exchequer, and in other the publick Offices, upon Request to them made by the respective Assessors, shall deliver gratis true Lists or Accounts of all Pensions, Annuities, Stipends, or other annual Payments, and of all Fees, Salaries, and other Allowances, payable at the said Receipt, or in the said publick Offices, to any Commissioner or Commissioners, Officer or Officers, for the Execution of this Act, for the better Guidance of the said Assessors in the charging of the same. And that in all Cases where any Pensions, Annuities, Stipends, or other yearly Payments, or the Fees, Salaries, Wages, or other Allowances or Profits charged by this Act, shall be payable at the Receipt of the Exchequer, or by the Cofferer of his Majesty's Houshold, or out of any other publick Office, or by any his Majesty's Receivers or Paymasters, in England, Wales, or Berwick upon Tweed, the Tax or Payment, which in pursuance of this Act shall be charged for or in respect of such Annuities, Pensions, Stipends, Fees, Salaries, Wages, Allowances, or Profits, shall and may (in case of Non-payment thereof) be detained and stopt out of the same, or out of any Money which shall be paid upon such Pensions, Annuities, Stipends, Fees, Salaries, Wages, Allowances, or Profits, or for Arrears thereof, and be applied to the Satisfaction of the Rates and Duties not otherwise paid as aforesaid; and the proper Officers in the said Exchequer, and other the publick Offices aforesaid, shall keep true Accounts of all Sums stopt, and (upon Request) shall give Copies of such Accounts to the proper Collectors of such Monies, for the respective Parishes or Places where the said Monies are assessed by this Act.

Taxes on Pensions, &c. not paid, to be stopt in the Exchequer.

A true Account to be kept of the Money stopt.

Persons to be taxed in the Parish where they dwell.

Provided, That where any Person inhabiting within the City of London, or any other City or Corporate of England, Wales, or Berwick upon Tweed, hath his Dwelling-house in One of the Parishes or Places therein, and hath any Goods, Wares, or Merchandizes in any One or more of the other Parishes or Places within the same, that then such Person shall be rated, charged, and assessed for such his Goods and Merchandizes in the

rish or Ward where he dwelleth, and not elsewhere, within the said City or Town-corporate.

No Proviso to lessen the full Sum by this Act to be levied.

Provided nevertheless, That no Clause or Proviso in this Act shall extend to the Lessening or Abatement of the full Sum appointed by this Act to be tared, collected, levied, and paid, but that the same be fully assessed, levied, collected, and paid, in the several and respective Counties, Cities, and Towns aforesaid, in England, Wales, and Berwick upon Tweed, in such Manner and Form, and to such Uses, as herein is before-mentioned and declared.

Contracts between Landlord and Tenant, touching Taxes, not to be voided.

Provided, That nothing in this Act contained shall be construed to alter, change, or determine, or make void any Contracts, Covenants, or Agreements whatsoever between Landlord and Tenant, or any other Persons, touching the Payment of Tares and Assessments, in England, Wales, and Berwick upon Tweed; any thing herein contained to the contrary notwithstanding.

All Places to pay where usually assessed.

Provided always, and be it further enacted and declared by the Authority aforesaid, That for the avoiding all Obstructions and Delays in assessing and collecting the Sums by this Act to be rated and assessed upon any Manors, Lands, Tenements, Rents, Tithes, or other Hereditaments, all Places, Constablewicks, Divisions, and Allotments, which have been used to be tared and assessed shall pay and be assessed in such County, Hundred, Rape, Wapentake, Constablewick, Division, or Place of Allotment within England, Wales, and Berwick upon Tweed, as the same have heretofore been usually assessed in, and not elsewhere.

West Barnfield to be assessed in the Lathe of *Skray Com' Kent.*

Northmore, Com' Oxon. in *Bampton.*

Charlbury, &c. in *Chadlington.*

Leeds Com' Ebor, in *Skyrack.*

Omberſley, in *Com. Worceſter.*

Aldermaſton, in *Oſwaldſlow* Hundred.

Provided nevertheless, That the Hundred of West Barnfield, formerly tared or assessed in the Lathe of Aleſford in the County of Kent, may for the future (if the Commissioners think fit) be rated and assessed in the Lathe of Skray in the County aforesaid; as likewise may the Tithing of Northmore in the County of Oxford be assessed in the Hundred of Bampton in the said County; and the Tithings of Charlbury, Fallar, and Finstock, in the Hundred of Chadlington in the said County; as also the whole Town and Parish of Leeds in the County of York, in the Hundred of Skyrack in the said County; and the Parish of Ombersley in the County of Worcester, in the lower Division of Oswaldslow Hundred in the said County; and the Parish of Aldermaston, in the Eastern Division of Oswaldslow Hundred in the said County; and the Parish of Yardley, in Bromsgrove Division of Halfshire Hundred in the said County; and the Forrest of Chute shall be assessed and pay where the

Forrest of *Chute*, where the first 4*s.* Aid was assessed.

Upton, in *Pershore* Hundred.

same was assessed to the First Aid of Four Shillings in the Pound, granted to Their late Majesties King William and Queen Mary; and that the Parish of Upton upon Severn, in the County of Worcester, formerly tared and assessed in the lower Division of Oswaldslow Hundred in the said County, may for the future, if the Commissioners think fit, be tared and assessed in the lower Division of Pershore Hundred in the said County; as also the Profits of the Navigation of the Rivers Calder and Ayre, in the West Riding of the County of York, shall be assessed and paid, One Moiety thereof at the Town of Wakefield, and the other Moiety at the Town of Leeds, and not elsewhere.

Calder and *Ayre*, at *Wakefield* and *Leeds*.

And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit, or Information shall be commenced or prosecuted against any Person or Persons, for what he or they do in pursuance or Execution of this Act, in England, Wales, or Berwick upon Tweed, such Person or Persons, so sued in any Court whatsoever, shall and may plead the General Issue, Not Guilty; and, upon Issue joined, may give this Act, and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become Nonsuit, or forbear further Prosecution, or suffer a Discontinuance, or if a Verdict pass against him, the Defendants shall recover Treble Costs, for which they shall have the like Remedy, as in Cases where Costs by Law are given to Defendants.

General Issue.

Treble Costs.

Where Lands, &c. are unoccupied, and no Distress found, Collectors may distrain at any Time after.

Provided always, and be it enacted, That in case any Lands or Houses in any Parish, Place, or Constablewick, in England, Wales, or Berwick upon Tweed, shall be unoccupied, and no Distress can be found on the same, by reason whereof the said Parish, Place, or Constablewick is forced to pay and make good the Tax assessed upon such Lands lying unoccupied; that then it shall and may be lawful, at any Time after, for the Collectors, Constables, or Tythingmen of the said Parish, Place, or Constablewick, for the time being, to enter and distrain upon the Lands or Houses, when there shall be any Distresses thereupon to be found; and the Distress and Distresses (if not redeemed within Four Days, by Payment of the Tax and Charge of the Distress) to sell, rendering the Overplus to the Owner or Owners of such Distress; and the said Collector, Constable, or Tythingman, is hereby enjoined to distribute the Money raised by the said Distress and Sale, proportionably to the Parties, who contributed to the Tax of the unoccupied Lands or Houses.

Distress not redeemed in Four Days, to be sold, &c.

Provided

Wood may be cut down, and sold for Distress.

Provided always, and be it enacted, That where any Wood Lands in England, Wales, or Berwick upon Tweed, shall be assessed, and no Distress can be had, that in such Case it shall and may be lawful to and for any Collector, Constable, Headborough, or Tythingman, by Warrant under the Hands and Seals of Two or more of the Commissioners of that Hundred or Division, at seasonable Times of the Year, to cut and sell to any Person or Persons so much of the Wood growing on the said Wood Lands so assessed (Timber Trees excepted) as shall pay the Assessment or Assessments so behind and unpaid, and the Charge incident thereunto; and that it shall and may be lawful for the Person or Persons, and his or their Assigns, to whom such Wood shall be sold, to fell, cut down, dispose, and carry away the same to his own Use, rendering the Overplus (if any be) to the Owner; any Law to the contrary notwithstanding.

(Timber Trees excepted)

Tithes, Tolls, &c. not paid within 6 Days after Demand, &c. may be seized and sold.

Provided always, and be it further enacted, That where any Tax or Assessment shall be charged or laid on any Tithes, such Tolls as are chargeable by this Act, Profits of Markets, Fairs, or Fisheries, or any other annual Profits, in England, Wales, or Berwick upon Tweed, not distrainable, in case the same shall not be paid within Six Days after such Assessment so charged or laid, or demanded, that it shall and may be lawful to and for the Collector, Constable, or other Officer thereunto appointed, by Warrant under the Hands and Seals of any Two or more of the Commissioners authorized by this Act, to seize, take, and sell so much of the said Tithes, wheresoever they can be found, Tolls, or other Profits, so charged, as shall be sufficient for the levying the said Tax or Assessment, and all the Charges occasioned by such Nonpayment thereof, rendering the Overplus to the Owner, if any be.

Receivers-general returning Persons, who have paid the Tax, to be in Arrear,

And for the better preventing such unjust Vexations as might be occasioned by such Persons as shall be appointed Receivers-general of any of the Sums of Money granted by this Act, to be raised in England, Wales, and Berwick upon Tweed; and to the Intent the said Receivers-general may return a true Account into his Majesty's Court of Exchequer, of any Sums of Money as shall be received by them, and every of them, their and every of their Deputy or Deputies; be it enacted by the Authority aforesaid, That if any such Receiver-general shall return, or certify into the said Court, any Sum or Sums of Money to be in Arrear, and unpaid, after the same have been received, either by such Receiver-general, or his Deputy or Deputies, or any of them,

them, or shall cause any Person or Persons, or Places, to be set insuper in the said Court, for any Sum or Sums of Money that have been so received; that then every such Receiver-general shall be liable to pay to every Person or Persons that shall be molested, vexed, or damaged, by reason of any such unjust Certificate, Return, or setting insuper, Treble the Damage that shall be thereby occasioned, to be recovered by Action of Debt, Bill, Plaint, or Information; in which no Essoin, Protection, or Wager of Law shall be allowed, or any more than One Imparlance; and shall also forfeit to his Majesty, his Heirs, and Successors, Double the Sum that shall be so unjustly certified, or returned, or caused to be set insuper.

forfeit Treble Damages to the Party grieved,

and to His Majesty double the Sum so returned.

And be it further enacted by the Authority aforesaid, That the Commissioners that shall be within any County, City, or Place within the respective Limits of England, Wales, or Berwick upon Tweed, or the major Part of them, shall tax and assess every Assessor within their Divisions, for all and singular the Matters and Things for which by this Act he ought to be taxed and assessed; and all Sums assessed upon every the said Assessors, and the Assessments made and set by the Assessors aforesaid, shall be written, estreated, levied, and gathered, according to the true Intent and Meaning of this Act.

Commissioners to assess the Assessors.

Provided also, That no Person inhabiting in any City, Borough, or Town-corporate in England, Wales, or Berwick upon Tweed, shall be compelled to be an Assessor or Collector of or for any Part of the Rates and Assessments hereby granted, in any Place or Places out of the Limits of the said City, Borough, or Town-corporate.

None compelled to be Assessors out of the Limits of the City, &c.

Provided always, and be it enacted, That every Rate, Tax, and Assessment which shall be made or imposed by virtue of this Act, in respect of any House or Tenement which an Ambassador, Resident, Agent, or other publick Minister of any foreign Prince or State, now doth, or hereafter shall inhabit or occupy, shall be paid by the Landlord or Owner of the said Houses or Tenements respectively.

Assessments on foreign Ministers Houses to be paid by the Landlords.

And be it further enacted by the Authority aforesaid, That in all privileged and other Places, being Extraparochial, or not within the Constablewicks or Precincts of the respective Assessors, to be appointed by virtue of this Act, in England, Wales, or Berwick upon Tweed (although in any monthly or other Tax they have not been rated heretofore) the said Commissioners, or any Two or more of them, shall, and they are hereby required to nominate and appoint Two or more fit Persons, living in

In Places Extraparochial Commissioners to nominate Assessors and Collectors, &c.

or near the said privileged or other Places as aforesaid, to be Assessors for the said Places, and to make and return the said Assessments, in like Manner as by this Act is appointed in any Parish, Tything, or Place, and also to appoint Two or more Collectors, who are hereby required to collect and pay the same in Manner appointed by this Act, for the collecting and paying all the aforesaid Sums of Money chargeable by this Act.

No Commissioner, &c. liable to any other Penalties than such as are inflicted by this Act.

Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner, Assessor, or Collector, who shall be employed in the Execution of this Act, in England, Wales, or Berwick upon Tweed, shall be liable, for or by reason of such Execution, to any Penalty or Penalties, other than such as by this Act are or may be inflicted for or by reason of such Execution.

Commissioners not to act without taking the Oaths by 1 *Geor.* I. &c.

Provided always, and be it enacted, That no Person shall be capable, in England, Wales, or Berwick upon Tweed, of acting as a Commissioner in the Execution of this Act, or executing any the Powers therein contained (unless it be the Power hereby given of administering Oaths) until such Time as he shall have taken the Oaths appointed by the Act of Parliament made in the First Year of His late Majesty's Reign (intituled, An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess *Sophia*, being Protestants; and for extinguishing the Hopes of the pretended Prince of *Wales*, and his open and secret Abettors;) which Oaths it shall and may be lawful for any Two or more of the Commissioners to administer, and they are hereby required to administer the same to any other of the said Commissioners.

Acting before Oaths taken, forfeit 200 *l.*

Provided always, and be it enacted, That if any Person hereby appointed a Commissioner for any County, City, Town, or Place, in England, Wales, or Berwick upon Tweed, shall presume to act as a Commissioner in the Execution of this Act, before he shall have taken the Oaths, which by this Act he is required to take, and in Manner hereby prescribed, he shall forfeit to His Majesty the Sum of Two hundred Pounds.

Officers to pay where employed, &c.

Provided also, That every Person in England, Wales, or Berwick upon Tweed, rated or assessed for his Office or Employment, shall be rated and pay for his said Office or Employment in the County, City, or Place where the same shall be exercised, although the Revenue or Profits arising by such Office or Employment are payable elsewhere.

Officers in *Chancery* to be assessed in the Rolls Liberty.

Provided always, That the Right Honourable the Master of the Rolls, the Masters in Chancery, Six Clerks, Clerks of

of the Petty-bag, Examiners, Registers, Clerks of the Inrolments, Clerks of the Affidavit and Subpœna Offices, and all other the Officers of the Court of Chancery, that execute their Offices within the Liberty of the Rolls, shall there be assessed for their respective Offices, Salaries, and other Profits, and not elsewhere; and that all Annuities, Stipends, and Pensions, payable to any Officers in respect of their Offices, shall be taxed and assessed where such Officers are rated and assessed for their Offices, and not elsewhere; and that all other Pensions, Stipends, and Annuities, in England, Wales, and Berwick upon Tweed, not charged upon Lands, shall be charged and assessed in the Parishes or Places where they are payable; and every Person, who is or shall be rated in England, Wales, or Berwick upon Tweed, for or in respect of any Personal Estate to him or her any ways belonging, shall be rated at such Place where he or she shall be resident at the Time of the Execution of this Act; and all Persons not being Housholders, nor having a certain Place of Residence, shall be taxed at the Place where they shall be resident at the Time of the Execution of this Act; and if any Person, who ought to be taxed in England, Wales, or Berwick upon Tweed, by virtue of this Act, for or in respect of his Personal Estate, shall, at the Time of his Assessment, be out of the Realm; such Person shall be rated therefore in such County, City, or Place, where he was last abiding within this Realm.

Annuities where rated.

Pensions, where payable.

Personal Estates, where Persons resident, &c.

Persons not Housholders, where resident.

Absent Persons to be rated where they were last resident.

Provided, That where any Person shall have any Goods, Wares, or Merchandizes, in any County or Counties, other than the County where he shall be resident, or had his last Residence, it shall be lawful at any Time before the Twenty fourth Day of Auguſt, One thousand seven hundred and fifty three, to rate and assess such Person for such Goods, Wares, and Merchandizes, in any County or Counties where the same shall be; and every Person, who shall be rated and assessed for or in respect of any Manors, Messuages, Lands, or Tenements, or other the Premisses, according to the former Clauses of this Act, shall be rated and assessed in the Places where such Manors, Messuages, Lands, and Tenements, and other the Premisses respectively do lie, and not elsewhere.

Goods, &c. to be assessed where they shall be.

Provided always, That if any Person or Persons, by reason of his, her, or their having several Mansion-houses, or Places of Residence, or otherwise, shall be doubly charged for any Personal Estate, Offices, or otherwise, by Occasion of this Act; then upon Certificate made by any Two or more of the Commissioners for the County, Riding, City, or Place, of his, her, or their last personal Residence,

Persons doubly rated, discharged on Certificate.

under

under their Hands and Seals, of the Sum or Sums charged upon him, her, or them (which Certificate the said Commissioners are hereby required to give without Delay, Fee, or Reward) and upon Oath made of such Certificate before any Justice of the Peace of the County or Place where the said Certificates shall be made (which Oath the said Justice of the Peace is hereby authorized and required to administer) then the Person or Persons so doubly charged shall, for so much as shall be so certified, be discharged in every other County, City, or Place in England, Wales, or Berwick upon Tweed.

Not to extend to *Scotland*, *Ireland*, *Jersey*, or *Guernsey*.

Provided also, That this Act shall not extend to the Inhabitants of Scotland, Ireland, Jersey, or Guernsey, for assessing any such Personal Estate, which they, or any to their Use, have within those Places, for or towards the said Sum hereby charged upon England, Wales, and Berwick upon Tweed, as aforesaid; and if any Person that ought to be taxed by virtue of this Act, in England, Wales, or Berwick upon Tweed, for or in respect of his Personal Estate, shall, by changing his Place of Residence, or by any other Fraud or Covin, escape from the Taxation, and not be taxed, and the same be proved before the Commissioners, or any Two or more of them, or before One or more Justice or Justices of the Peace of the County where such Person dwelleth or resideth, at any Time within One Year next after such Tax made, every Person that shall so escape from the Taxation and Payment, shall be charged (upon Proof thereof) at Treble the Value of so much as he should or ought to have been charged at by this Act; the said Treble Value, upon Certificate thereof made into the Exchequer by the Commissioners, Justice or Justices (before whom such Proof shall be made) to be levied on the Goods, Lands, and Tenements of such Persons.

Persons avoiding the Tax, charged treble.

And for the better Discovery of Personal Estates intended to be charged by this Act, be it further enacted by the Authority aforesaid, That every Householder in England, Wales, or Berwick upon Tweed, shall, upon Demand of the Assessors of the respective Parishes or Places, give an Account of the Names and Qualities of such Persons as shall sojourn or lodge in their respective Houses, under the Penalty of forfeiting to his Majesty the Sum of Five Pounds, to be levied and recovered in such Manner, as any other Penalty in this Act mentioned shall and may be levied and recovered.

Householders to give an Account of their Lodgers,

on Forfeiture of 5 *l.*

And be it enacted by the Authority aforesaid, That all and every Person and Persons having any Share or Shares, or Interest in any fresh Stream or running Wa-

Shares in the *New River*, &c. to pay 2*s.* *per* Pound.

ter

ter brought to the North Parts of London, commonly called the New River, or in the Thames Water-works, or in Marybone, or in Hampstead Water-works, or in any Rents or Profits arising thereby; and all and every Person and Persons having any Share or Interest in any Office or Stock for insuring of Houses in Cases of Fire, or in any Lights, or in the Stock or Stocks for printing of Books in or belonging to the House commonly called The King's Printing House, shall pay for the same the Sum of Two Shillings for every Twenty Shillings of the full yearly Value thereof, towards the said Sum hereby charged upon England, Wales, and Berwick upon Tweed; and they, and all Companies of Merchants in London, and the Bank of England, and all Salaries and Pensions (tarable in London) arising and payable at the General Post-office and Excise-office, charged by this Act, shall be assessed by the Commissioners nominated and appointed for the said City, or any Two or more of them, for their respective Shares and Interests aforesaid, and the aforesaid joint Stock or Stocks, and for such Salaries and Pensions; and the same shall be paid by the Governors or the respective Treasurers or Receivers of the said River-waters, and Water-works, and of the said Offices and Stocks respectively, to such Person or Persons as the said Commissioners, or any Two or more of them, shall appoint to collect the same, and be deducted at and out of their next Dividend; and every Person having any Salary in respect of any Office or Employment exercised in the Ward of London, where the said Post-office is situated, shall be assessed and pay for the same in the same Ward the said Rate of Two Shillings in the Pound towards the said Sum by this Act charged upon England, Wales, and Berwick upon Tweed.

Shares in the *Fire Offices*,

and in the *Lights*,

and the King's *Printing House* to pay 2*s. per* Pound.

Merchants, Bank of *England*, Post-office, *&c.*

to be paid by the Governors.

Provided always, and it is hereby further enacted by the Authority aforesaid, That when and so often as any of the said Governors, Treasurers, or Receivers of the said River-waters, Water-works, Offices, or Stocks respectively, shall, upon Demand to any of them respectively made by the proper Collector or Collectors, refuse or neglect to pay the respective Sum or Sums of Money whereat all and every the said Person and Persons having any Share or Shares, or Interest in any of the said River-waters, Water-works, Offices, or Stocks respectively, shall be respectively rated or assessed, then, and in all and every such Case and Cases, it shall and may be lawful to and for the said Collector or Collectors, or any of them, and he, they, and every of them, is and are hereby authorized and required to levy

Governors, *&c.* of the River-waters, and Water-works, refusing to pay, the Collectors impowered to levy the Sum by Distress and Sale.

the

the Sum so assessed, by Distress and Sale of the Goods and Chattles jointly belonging to, or held in Trust for, the Persons who shall have such Shares or Interest, in respect whereof such Assessment shall be demanded, and refused as aforesaid, rendering the Overplus, if any shall be (the Charges of such Distress and Sale being first deducted) to the Governor, Treasurer, or Receiver of the said River-waters, Water-works, Offices, or Stocks respectively.

Papists 18 Years of Age not taking the Oaths 1 *W.* & *M.* to pay double:

And be it further enacted by the Authority aforesaid, That every Papist, or reputed Papist, in England, Wales, or Berwick upon Tweed, being at the Age of Eighteen Years and upwards, who shall not have taken the Oaths mentioned and required to be taken by an Act made in England, in the First Year of the Reign of King William and Queen Mary, intituled, An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths, shall yield and pay unto His Majesty double the Sums and Rates, which, by Force and Virtue of any Clause in this Act before mentioned and contained, he or they should or ought to pay and be charged with, to be assessed, levied, collected, answered, and paid, in such Manner, by such Ways and Means, and according to such Rules and Directions, and under such Penalties and Forfeitures, as are before in this Act expressed or appointed, for and concerning the above-mentioned Rates and Sums.

Unless taken within 10 Days after the Commissioners First Meeting.

Provided nevertheless, That if any such Papist, or reputed Papist, within Ten Days after the First Meeting of the said Commissioners, in the respective Counties or Places where he or she ought to be tared or assessed, according to the Intent of this present Act, shall take the said Oaths before any Two or more of the said Commissioners (which Oaths the said Two or more of the said Commissioners are hereby impowered to administer) in that Case he or they shall not be liable to be doubly assessed as aforesaid.

Persons 18 Years of Age refusing the Oaths, to pay double.

And be it further enacted by the Authority aforesaid, That every Person, being of the Age of Eighteen Years, and upwards, and being in England, Wales, or Berwick upon Tweed, at the Time of the Execution of this Act, who shall not before that Time have taken the Oaths mentioned and required to be taken by the said last-mentioned Act, and, upon Summons by Warrant under the Hands and Seals of any Two or more of the said Commissioners, shall refuse to take the said Oaths at the Time appointed in the said Warrant, or shall neglect to appear at such Time before the said Commissioners, in order to take the said Oaths (which the said Commissioners, or any Two or

more of them, are hereby impowered and required to administer) shall yield and pay unto His Majesty double the Sums and Rates, which, by Force and Virtue of any Clause in this Act before-mentioned and contained, he or she should or ought to pay or be charged with, in Manner as is before in this present Act appointed, touching Papists, or reputed Papists.

Commissioners to summon suspected Persons, &c.

And be it further enacted, That any Two or more of the said Commissioners appointed by this Act in the respective Counties, Cities, Towns, and other Places in England, Wales, and Berwick upon Tweed, upon Information, or upon any Cause of Suspicion in that Behalf, shall and are hereby required and impowered to cause every such Person suspected (or against whom such Information shall be given) to be summoned to appear to take the said Oaths, as aforesaid.

Quakers to subscribe the Declaration 1 *W.* & *M.*

Provided nevertheless, That whereas certain Persons, Dissenters from the Church of England, commonly called Quakers, and now known to be such, in England, Wales, and Berwick upon Tweed, do scruple the taking of any Oaths, it shall be sufficient for any such Persons to make and subscribe the like Declaration of Fidelity to His Majesty, as was contained in an Act made in the Parliament held in the First Year of the Reign of Their late Majesties King William and Queen Mary, intituled, An Act for exempting Their Majesties Protestant Subjects, Dissenters from the Church of *England*, from the Penalties of certain Laws: Which Declaration any Two or more of the Commissioners appointed for the executing of this Act are hereby required and impowered to administer; and every such Person, so doing, shall not be liable to, or charged with, any of the double Rates aforesaid.

Commissioners to double assess Papists, where Assessors omit.

And be it further enacted by the Authority aforesaid, That in all Cases where any Assessor or Assessors, who by this Act are required to make double Assessments upon Papists, or reputed Papists, or other Persons, for not taking the Oaths aforesaid, shall neglect to do his or their Duty therein; the respective Commissioners of the County, Riding, Hundred, Division, or Place, where such double Assessments ought to have been made, or any Two or more of them, shall take Care, and are hereby authorized and required to cause such Papists, or other Persons, to be doubly charged, according to the true Intent and Meaning of this Act.

Tenants discharged from double Rates.

Provided always, and be it enacted, That where the Owners of any Lands, Tenements, and Hereditaments, are liable to be doubly charged as Papists, or reputed Papists, by reason of their not having taken the Oaths according

cording to the true Intent of this Act; in every such Case such Owners only shall be charged with, and pay the said double Rates; and the respective Tenants of such Lands, Tenements, or Hereditaments, are hereby discharged of and from the same; any Covenant for Payment of Taxes, or other Agreement to the contrary notwithstanding.

King's Bench, Marshalsea Prison, &c. to be assessed in Saint *George's* Parish, &c.

Provided always, and be it further enacted by the Authority aforesaid, That the Prison of the King's Bench, Prison-house, Lands, Gardens, and Common Side, and all the Rents, Offices, Profits, and Perquisites of the Marshal, and all other Officers of the King's Bench Prison; and also the Prison-house, Lands, and Gardens of the Prison of the Marshal, and of the Marshalsea Prison, and all Offices, Perquisites, and Profits of the Marshalsea Court and Prison, lying and being in the Parish of Saint George the Martyr, in the Borough of Southwark, in the County of Surry, and the Judges of the said Court, and all Counsellors and Attornies practising, or having a Right to practise in the said Marshalsea Court, and all Profits and Fees accruing to them, or any of them respectively, shall be charged and assessed to the Assessment in the Parish of Saint George aforesaid, and not elsewhere, at and after the Rate of Two Shillings in the Pound; any thing to the contrary in any wise notwithstanding.

Officers of the *Marshalsea* Court refusing to pay, &c.

And be it further enacted by the Authority aforesaid, That where any Officer or Officers, belonging to the said Prisons, shall neglect or refuse to pay the Sum or Sums of Money, which shall be rated and assessed upon them, or any of them, by virtue of this Act, any Two or more of the Commissioners appointed by this Act, for the said County of Surry, shall and may certify, by Writing, under their Hands and Seals, such Neglect or Refusal, and the Sum payable by virtue of this Act, to the Commissioners for executing this Act, in the County or Place where such Officer or Officers reside; and any Two or more of such Commissioners are hereby authorized and required, upon Receipt of such Certificate, by Warrant under their Hands and Seals, to authorize and impower the respective Collectors of the Parish or Place where such Officer or Officers reside, to distrain the Goods and Chattles of such Officer or Officers; and the Distress or Distresses so made, to detain and keep for the Space of Four Days; and if such Officer or Officers do not pay the said Sum or Sums of Money, for which such Distress shall be made as aforesaid, within the Space of Four Days, that then the said Goods and Chat-

Collectors by Warrant from Commissioners may distrain.

ties so distrained as aforesaid, shall and may be appraised and sold by Two such honest and sufficient Persons, as the said Commissioners, who shall sign the said Warrant, shall nominate and appoint; and the Monies arising thereby shall be paid to the Collectors of the said Parish of Saint George, for and towards Satisfaction of the said Sum and Sums of Money; and the Surplus (if any be) shall be returned to the Owner of the said Goods, after the Charge of the said Distress and Sale shall be deducted: But in case no Goods or Chattles of any such Officer or Officers can be found, sufficient to make good the Sum or Sums of Money so assessed, or to be assessed upon him or them as aforesaid, that then it shall and may be lawful for any Two or more of the said Commissioners, by Warrant under their Hands and Seals to the respective Collectors, or such Person or Persons as they shall think fit, to cause the Person or Persons of such respective Officer or Officers of the said Prisons, neglecting or refusing to pay as aforesaid, to be apprehended and taken, wherever he or they can or may be found, and to be committed to the Common Gaol, where he or they shall happen to be taken, there to remain without Bail or Mainprize, until Payment shall be made as aforesaid, of the Sum or Sums of Money so charged or assessed upon them as aforesaid, with the Charges of such Prosecution as aforesaid, to be allowed by the said Commissioners, or any Two or more of them; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

If no Goods sufficient, Officer to be imprisoned.

Fleet Prison to be assessed in St. *Bride's*.

Provided also, That the Prison of the Fleet, Prisonhouse, Lands, Gardens, and the Common Side, and all the Rents, Profits, and Perquisites of the Office of Warden of the Fleet, lying and being in the Parish of Saint Bridget, *alias* Bride's, London, shall be charged and assessed to the Assessment in the said Parish of Saint Bridget, *alias* Bride's, London, and not elsewhere; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Officers at *Stoke Damrel*, near *Plymouth*.

And be it further enacted by the Authority aforesaid, That the Officers of His Majesty's Dock Yard now at Stoke Damrel near Plymouth, shall be assessed upon this Act, for the Salaries and other Profits, within the Town and Parish of Plymouth, where the Salaries of the old Dock Yard of Plymouth, in the Year One thousand six hundred and ninety three, were assessed, and not elsewhere; so as the full Proportion which was assessed upon the said Town and Parish of Plymouth, in the said Year One thousand six hundred and ninety three, be again

assessed thereon by virtue of this Act, and so as the said Parish of Stoke Damrel be not charged with a greater Proportion, in respect of the said Salaries and Profits, than they were in the said year One thousand six hundred and ninety three; any thing herein before contained to the contrary notwithstanding.

Water-works in *Southwark* to be assessed in *Surry*.

Provided always, and be it further enacted by the Authority aforesaid, That all the Water-works in the Borough of Southwark, shall be rated and assessed in the said Borough of Southwark, and not elsewhere, by the Commissioners and Assessors of the County of Surry, and not by the Commissioners and Assessors of the City of London, and that the said Water-works be assessed according to the clear yearly Profits thereof; any thing herein contained to the contrary notwithstanding.

Water-works in *Westminster* there assessed.

Provided always, and be it enacted, That the Water-works in the City and Liberty of Westminster, shall be rated and assessed by the Commissioners and Assessors of the City and Liberty of Westminster, and not by the Commissioners and Assessors of the City of London; any thing herein contained to the contrary notwithstanding.

Offices, *&c.* in *Whitehall* and St. *James*'s, to be there assessed.

Provided always, That all Offices and Places, which were rated and assessed within the Palaces of Whitehall and Saint James, in and for the years One thousand seven hundred and three, and One thousand seven hundred and four, or either of them (except such as are exempted by this Act) shall be rated and assessed within the said Palaces, and in no other Place whatsoever.

Collectors of the Water-works in *Colchester*, chargeable.

And be it enacted and declared by the Authority aforesaid, That the respective Persons, who have received or collected, or shall receive or collect the yearly Profits of the Water-works within the Town of Colchester, in the County of Essex, for the time being, shall be, and are hereby charged and chargeable with the Payment of the Tax that shall be assessed on the said Profits respectively by this Act, to be levied in such Manner as other Aids and Assessments in and by this Act are directed; and the respective Persons so charged, as aforesaid, and paying the same, shall be allowed the same on their respective Accounts by their respective Employers or Proprietors for the time being; any thing herein contained to the contrary notwithstanding.

Collectors for the Water-works in *New Windsor*, chargeable.

And be it further enacted by the Authority aforesaid, That such Person or Persons, as collect and receive the yearly Profits of the Water-works within the Borough of New Windsor, in the County of Berks, shall be, and are hereby charged and chargeable with the Payment of the Tax that shall be assessed on the said Profits, to be

levied in such Manner as other Aids and Assessments in and by this Act are directed and appointed.

Patent-Officers to Bishopricks to pay where assessed in 1653.

And it is hereby declared, That in all Places where any the Patent-Officers of the several Bishops, or any of them, in England and Wales, were assessed, and did pay for their respective Offices or Employments of Profit relating to the said Bishopricks, unto or for the said Aid of Four Shillings in the Pound, in the year One thousand six hundred and ninety three, the same respective Offices and Employments of Profit, under the present Bishops, or relating to the said Bishopricks, or any of them, and the Patent-Officers therein, shall be assessed and chargeable in the same Parishes and Places respectively, and none other, towards the Sum to be raised by this Act, to His Majesty's Use.

Commissioners appointed to act, without subdividing the Parish of St. *Andrew Holborn*, in *Middlesex*.

Provided always, and it is hereby enacted, That the Proportion, which at the First General Meeting of the Commissioners for the County of Middlesex shall (pursuant to this Act) be laid upon that Part of the Parish of Saint Andrew Holborn, which is in the said County, shall be equally raised therein, without being subdivided into Two Proportions, or making any Distinction between that Part above the Bars, and that Part below the Bars: And that in the Subdivision of Commissioners to act for the several Hundreds and Divisions in the said County, a Number of Commissioners shall be appointed to act accordingly for all that Part of the said Parish of Saint Andrew, which lieth in the said County.

Debates arising concerning the joint *Quota*; the Commissioners who are Inhabitants of either Parish to withdraw, or to be fined a Sum not exceeding 20 *l.*

Provided always, and it is hereby enacted, That the Parish of Saint George, Hanover Square, within the City and Liberty of Westminster, shall, in the Execution of this Act, be chargeable with a distinct Sum or Quota, separate from that of the Parish of Saint Martin in the Fields; and if any Controversy shall arise among the Commissioners concerning the said Quota, and the apportioning thereof out of the joint Quota of the said Two Parishes; the Commissioners, who are Inhabitants of, or have any Concern or Interest, in either of the said Two Parishes, shall have no Voice, but shall withdraw at the Time of the Debate of such Controversy, until it be determined by the rest of the Commissioners; and in Default thereof, the Commissioners then present, who do not inhabit, nor have any Interest or Concern in either of the said Two Parishes, shall have Power, and are hereby required, to impose such Fine or Fines as by them shall be thought fit, upon every such Commissioner so refusing to withdraw, not

not exceeding Twenty Pounds; and to cause the same to be levied and paid as other Fines to be imposed by virtue of this Act are to be levied and paid.

Provided always, and it is hereby enacted by the Authority aforesaid, That the Parishes of Saint John, Saint Peter, and Berchington in the Isle of Thanet, within the Liberty of Dover, shall be deemed and taken to be a distinct Division within the said Liberty; and in Execution of this Act, shall be charged towards making up the whole Sum charged on the Town of Dover, and the Liberty thereof, according to the Proportion which was assessed on the said Parishes, by virtue of an Act of Parliament passed in the Fourth year of the Reign of Their late Majesties King William and Queen Mary, intituled, An Act for granting to Their Majesties an Aid of four Shillings in the Pound, for carrying on a vigorous War against *France*, and not otherwise. And all Commissioners, Collectors, Head-collectors, and Receivers, are hereby required and enjoined to apply themselves with all Diligence to the most speedy and effectual Execution of their several and respective Duties, and to use their utmost Endeavours, that all Estates, and other Things herein charged, may fully and duly pay the Rates and Assessments, according to the Directions of this Act, and so as his Majesty's Service herein may not be delayed or hindered through any of their wilful Neglect or Default.

The Parishes of St. *John*, St. *Peter*, and *Berchington*, to be charged in *Dover* Liberty, according to the Assessment 4 *W. & M.*

Provided, That no poor Person shall be charged with or liable to the Pound-rate imposed by this Act, upon Lands, Tenements, or Hereditaments, in England, Wales, or Berwick upon Tweed, whose Lands, Tenements, or Hereditaments are not of the full yearly Value of Twenty Shillings in the whole.

Lands not worth 20 *s.* *per Annum*, not chargeable.

And be it further enacted, That if any Collector of any Parish or Place in England, Wales, or Berwick upon Tweed, shall keep in his Hands any Part of the Money by him collected for any longer Time than is by this Act directed (other than the Allowance made unto him by this Act) or shall pay any Part thereof to any Person or Persons, other than the Receiver-general of such County or Place, or to his respective Deputy; that every such Collector shall forfeit, for every such Offence, the Sum of Forty Pounds. And in case any Receiver-general of any Part of England, Wales, or Berwick upon Tweed, or his Deputy, shall pay any Part of the Monies paid to him or them by any Collector, by virtue of this Act, to any Person or Persons whatsoever, other than into the Receipt of his Majesty's Exchequer, and at or within

Collectors keeping Monies in their Hands, to forfeit 40 *l.*

Receiver-general misapplying the Monies, to forfeit 500 *l.*

in the respective Times limited by this Act; or in case any such Receiver-general of any Part of England, Wales, or Berwick upon Tweed, or his Deputy, shall pay any Part of the said Monies by any Warrant of the High Treasurer, Commissioners of the Treasury, or Under-treasurer for the time being, or upon any Tally of Pro, or Tally of Anticipation, or other Way or Device whatsoever, whereby to divert or hinder the actual Payment thereof into the Receipt of the Exchequer as aforesaid; then every such Receiver-general shall, for every such Offence of himself, or his Deputy, forfeit the Sum of Five hundred Pounds to him or them that shall sue for the same, in any Court of Record, by Bill, Plaint, or Information; wherein no Essoin, Protection, or Wager of Law is to be allowed.

Commissioners of the Treasury, &c. not to divert the Payments into the Exchequer.

And it is hereby further enacted, That the High Treasurer, or Commissioners of the Treasury, or Under-treasurer for the time being, or any of them, do not direct any Warrant to any of the Collectors or Receivers-general in England, Wales, or Berwick upon Tweed, or their Deputies, for the Payment of any Part of the Monies hereby given to any Person or Persons, other than into the Receipt of the Exchequer, as aforesaid; nor shall they, or any of them, direct any Warrant to the Officers of the Exchequer for striking any Tally of Pro, or Tally of Anticipation, nor do any Matter or Thing whereby to divert the actual Payment of the said Monies into the Receipt of the Exchequer; nor shall the Officers of the Exchequer strike, or direct, or record the striking of any Tally of Pro, or Tally of Anticipation, upon any of the said Monies, upon any Account or Warrant whatsoever; nor shall any Teller throw down any Bill, whereby to charge himself with any of the said Monies, until he shall have actually received the same.

No *Noli prosequi*, &c. in any Suit against this Act.

Provided also, and be it enacted, That no Stay of Prosecution, upon any Command, Warrant, Motion, Order, or Direction, by Non vult ulterius prosequi, shall be had, made, admitted, received, or allowed by any Court whatsoever, in any Suit or Proceeding, by Action of Debt, Bill, Plaint, or Information, or otherwise, for the Recovery of all or any the Pains, Penalties, or Forfeitures upon any Person by this Act inflicted, or therein mentioned, or for or in order to the Conviction or Disability of any Person offending against this Act, in England, Wales, or Berwick upon Tweed.

Provided always, That if any Person or Persons, who shall be charged or assessed by this Act to or with a Pound-rate

Pound-rate upon his, her, or their Manors, Lands, Tenements, Hereditaments, or other the Premisses, shall, upon Complaint made to the Commissioners, in such Manner, and at such Times, as are herein directed in Cases of Appeals, make it appear to the said Commissioners, or any Three or more of them then present, for hearing and determining such Appeals, by Proof upon Oath, that such Assessment doth exceed the equal Pound-rate that ought to be charged on him, her, or them; in such Case, upon every such Proof, and due Examination thereof, the said Commissioners, or the major Part of them then present, as aforesaid, are hereby impowered to abate and lessen the said Assessments, so much as the same shall exceed the equal Pound-rate that ought to be charged on him, her, or them, and shall cause the Money so abated to be re-assessed, sur-charged, and levied, in such Manner as they, or the major Part of them, in their Judgements and Discretions, shall think most equal, just, and reasonable, within the whole Hundred, Lathe, Wapentake, or other Division, where such Overcharge or Overcharges do happen, although the Pound-rate of Two Shillings in the Pound be thereby exceeded; or if any particular Part or Parts of the same, or any Person therein, shall appear to them to be undercharged, then the Money so abated shall and may be raised upon such particular Part or Persons so undercharged; so that the whole Sum payable to His Majesty for such Hundred, Lathe, Wapentake, or other Division, shall be fully and duly answered and paid, without being diminished by reason of such particular Abatement; any thing herein contained to the contrary notwithstanding.

Commissioners to abate where Lands are over charged,

and to re-assess, &c.

or raise it on Persons undercharged.

And be it further enacted by the Authority aforesaid, That the Receiver-general of each County or District in England, Wales, or Berwick upon Tweed, shall nominate, constitute, and appoint fit and proper Persons (for whom he shall be answerable) to be his Deputy or Deputies, to receive from the said Sub-collectors all and every the Rates, Duties, and Assessments by them respectively collected and received; and the same Receivers-general are hereby required to nominate and appoint so many of such Deputies in their respective Counties, that no Sub-collector may be obliged to travel above the Space of Ten Miles from his usual Place of Abode, for the Payment of the said Monies that shall be by him collected or received; and if any such Receiver-general shall neglect or refuse to nominate and appoint such Deputies, in Manner as aforesaid, or shall wilfully neglect to attend, by himself or Deputy, at the Time and Place by him appointed for his respective

Receiver-general answerable for Deputies.

Sub-collector not to travel above 10 Miles, &c.

Receivers not nominating Deputies, &c. to forfeit 100 l.

Receipts, such Receiver-general shall, for every such Offence, forfeit the Sum of One hundred Pounds, the One Moiety to His Majesty, His heirs, and Successors, and the other Moiety to him or them that shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; in which Action or Suit no Essoin, Protection, Privilege, or Wager of Law shall be allowed.

Commissioners for the County at large may act for any City, &c.

Provided nevertheless, That in case there shall not be a sufficient Number of Commissioners for any City, Borough, Cinque-port, Town, or Place in England, Wales, or Berwick upon Tweed (for which by this Act Commissioners are particularly appointed) capable of acting according to the Qualifications required by this Act, to put this Act in Execution; that in every such Case, any of the said Commissioners, appointed for the County at large, within which such City, Borough, Town, Cinque-port, or Place doth stand, or which is next adjoining thereto, may act as Commissioners in the Execution of this Act, within such City, Borough, Town, Cinque-port, or Place.

Mayors, Bailiffs, &c. to act as Commissioners specially appointed.

And whereas some Doubts may arise, whether Mayors, Bailiffs, or other Chief Magistrates of Cities, Boroughs, Towns-corporate, or Cinque-ports, for which Commissioners are especially appointed by virtue of this Act, can act as Commissioners for executing this Act in the said Cities, Boroughs, Towns-corporate, and Cinque-ports; be it further enacted by the Authority aforesaid, That all Mayors, Bailiffs, and other Chief Magistrates, who are appointed Commissioners for executing this Act, shall be, and have Power to act as Commissioners for executing this Act, within and for any City, Borough, Town-corporate, or Cinque-port, wherein they inhabit at the Time of executing this Act, as well where Commissioners are especially appointed by this Act, as where they are not.

Members of Parliament to be taxed at their Mansion-houses.

And whereas several Members of Parliament, by reason of their Attendance in Parliament, have by the Assessors of London, Westminster, and Middlesex, and the Suburbs of the same, been taxed for their Personal Estates, and have been put to unreasonable Charge and Vexation; be it further enacted by the Authority aforesaid, That the several Members of Parliament, who at the Execution of this Act, during this Session of Parliament, shall abide within the said Cities of London and Westminster, and the Suburbs of the same, or within the County of Middlesex, shall, for or in respect of their ready Money, or Debts, or any other Tax which may be laid on their Persons, or

Personal

Personal Estate, during this Session of Parliament, be assessed only in the Place where such Members have their Mansion-houses, or other Places where they most usually reside during the Interval of Parliament; and in case any Assessor or Commissioner shall assess or cause to be assessed any Member of Parliament, contrary to the Provision hereby made, he or they shall forfeit to the Party grieved the Sum of Forty Pounds, to be recovered by Action of Debt, or upon the Case, together with Full Costs of Suit; any thing herein contained to the contrary notwithstanding.

Provided also, and be it enacted by the Authority aforesaid, That the First General Meeting of the Commissioners for the West Riding of the County of York shall be held at the Town of Pontefract; and the First General Meeting of the Commissioners for the North Riding of the County of York shall be held at the Town of Thursk; and the First General Meeting of the Commissioners for the East Riding of the County of York, shall be held at the Town of Beverley; any thing in this Act before mentioned, or any former Custom to the contrary notwithstanding.

First Meeting for the *West Riding* of *York* at *Pontefract*.

North Riding at *Thursk*;

East Riding at *Beverley*.

Provided also, and be it enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, or any of the Powers therein contained, in or for any County at large, within England, the Dominion of Wales (the Counties of Merioneth, Cardigan, Carmarthen, Glamorgan, Montgomery, Pembroke, and Monmouth excepted) or in or for any of the Ridings in the County of York; unless such Person be seized and possessed of Lands, Tenements, or Hereditaments, which were tared, or did pay, in the same County or Riding, for the Value of One hundred Pounds per Annum, or more, of his own Estate, by virtue of an Act made and passed in the Twenty fifth year of his Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, within the Space of One Year, from the Twenty fifth Day of *March*, One thousand seven hundred and fifty two.

No Commissioner capable to act in any County at large, unless rated at 100 *l.* *per Ann.* (*Merioneth*, *Cardigan*, &c. excepted.)

Provided nevertheless, That any Person herein named a Commissioner in and for the County of Anglesea or Carnarvon, shall be capable of acting as a Commissioner in the Execution of this Act, in or for the same Counties, or either of them, being himself, or his Tenants, or Trustees, tared for the Value of Sixty Pounds per Annum, or more, of his own Estate, by virtue of the said Act of the Twenty fifth year of His Majesty's Reign.

Commissioners for *Anglesea*, &c. to act, if taxed at 60 *l.* *per Ann.*

Provided

Commissioners may act for any City, being Inhabitants, or Inns of Court, &c.

Provided nevertheless, and it is also hereby enacted, That no Person who is hereby appointed to be a Commissioner for executing this Act in any Part of England, Wales, or Berwick upon Tweed, shall be disabled from acting as a Commissioner within or for any City, Borough, Cinque-port, or Town-corporate only, for which he is particularly nominated and appointed a Commissioner, and whereof he shall be an Inhabitant at the Time of the Execution of this Act, nor from acting as a Commissioner within any of the Inns of Court, or Inns of Chancery; and that no Attorney or Solicitor, or Person practising as such, who shall not be seized or possessed of Lands, Tenements, or Hereditaments, which were tared or did pay in the same County or Riding, City, Borough, Town-corporate, Cinque-port, or Place, for which he shall be named a Commissioner, or within the County at large, within which such City, Borough, Town-corporate, Cinque-port, or Place, for which he shall be named a Commissioner, doth stand, or which is next adjoining thereto, for the Value of One hundred Pounds per Annum, or more, of his own Estate, by virtue of an Act made and passed in the Twenty fifth Year of his Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, within the Space of One Year, from the Twenty fifth Day of *March*, One thousand seven hundred and fifty two, or any Receiver-general, or any Collector of any Aid granted to his Majesty, shall be capable of acting as a Commissioner in the Execution of this present Act, in England, Wales, or Berwick upon Tweed; any thing herein contained to the contrary notwithstanding.

Attornies, &c. not to be Commissioners, without possessing 100 *l.* *per Annum*.

Provided also, and be it enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, or any of the Powers herein contained, within the City of London, and Liberty of Saint Martin le Grand, unless such Person be seized and possessed of Lands, Tenements, or Hereditaments, being Freehold, Copyhold, or Leasehold, over and above all Ground-Rents, Incumbrances, and other Reservations, payable out of, or in respect of such Leasehold Estates, which were tared, or did pay in the said City or Liberty for the Value of Twenty Pounds per Annum, or more, of his own Estate, or unless such Person was tared, or did pay in the said City or Liberty for the Value of One hundred and fifty Pounds Personal Estate, or more, by virtue of an Act made and passed in the Twenty fifth Year of his Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, within

No Commissioner of the City of *London*, or Liberty of St. *Martin le Grand*, to act, unless rated at 20 *l.* *per Ann.* of his own Estate, &c.

the Space of One Year, from the Twenty fifth Day of *March*, One thousand seven hundred and fifty two.

No Commissioner of the City, &c. of Westminster by Act, unless rated at 20*l.* per Ann. of his own Estate.

Provided also, and be it enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, or any of the Powers herein contained, within the City and Liberty of Westminster, unless such Person be seized and possessed of Lands, Tenements, or Hereditaments, being Freehold, Copyhold, or Leasehold, over and above all Ground Rents, Incumbrances, and other Reservations, payable out of, or in respect of such Leasehold Estates, which were rated, or did pay in the said City or Liberty for the Value of Twenty Pounds per Annum, or more, of his own Estate, by virtue of an Act made and passed in the Twenty fourth Year of his Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty one.

Persons disabled presuming to act, to forfeit 50*l.*

And it is hereby further enacted, That if any Person intended by this Act to be disabled for any the Causes aforesaid, shall nevertheless presume to act as a Commissioner in the Execution of this Act, or any the Powers therein contained, every such Person, for every such Offence, shall forfeit the Sum of Fifty Pounds to any Person or Persons who will inform or sue for the same; to be recovered in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance shall be allowed.

Collectors of the New Water-works in *Exon*, chargeable.

And be it enacted by the Authority aforesaid, That the respective Persons, who have received or collected, or shall receive or collect, the yearly Profits of the New Water-works within the City and County of Exon, for the time being, shall be, and are hereby charged and chargeable with the Payment of the Tax that shall be assessed on the said Profits respectively by this Act, to be levied in such Manner as other Aids and Assessments in and by this Act are directed; and the respective Persons so charged as aforesaid, and paying the same, shall be allowed the same on their respective Accounts by their respective Employers or Proprietors for the time being; any thing herein contained to the contrary notwithstanding.

Provided always, and it is hereby declared, That this Act, or any thing herein contained, shall not charge, or be construed to charge, her Royal Highness the Prin-

Their Royal Highnesses the Princess Dowager of *Wales*, and Prince of *Wales*, not chargeable,

tess Dowager of Wales, or His Royal Highness the Prince of Wales, with the above-mentioned Duty or Payment of Two Shillings out of every Twenty Shillings by the Year, for or in respect of any Sums of Money or Annuities given or granted by His Majesty to Their said Royal Highnesses; but that such Sums of Money and Annuities, and Their Royal Highnesses, and Their Treasurers or Receivers-general for the time being, shall be free and clear of all Taxes, Impositions, and other publick Charges whatsoever; any thing in this or any former Act to the contrary thereof in any wise notwithstanding.

nor His Royal Highness the Duke of *Cumberland*, nor the Princess Royal, nor the Princesses.

And be it further enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not charge, or be construed, deemed, or taken to charge His Royal Highness the Duke of Cumberland, or Her Royal Highness the Princess Royal, or Their Royal Highnesses the Princess Amelia, or the Princess Caroline, or the Officers or Servants attending their Persons, with the above-mentioned Duty or Payment of Two Shillings, out of every Twenty Shillings by the Year, for or in respect of any Annuities, or yearly Payments, granted or to be granted by His Majesty to Their said Royal Highnesses; but that such Annuities, or yearly Payments, and Their Royal Highnesses, and Their Servants for the time being, in respect of the same, shall be free and clear from all Taxes, Impositions, and other Charges whatsoever.

Superannuated Sea-officers not to pay, &c. nor poor Knights of *Windsor*.

Provided always, That this Act, or any of the several Clauses therein contained, shall not extend to charge the Pensions of any superannuated Commission or Warrant Sea-officers, or the Pensions of Widows of Sea-officers, slain in the Service of the Crown; or the Revenue of the Most Noble Order of the Garter; or the Pensions of the poor Knights of Windsor, payable out of the Exchequer only; but the same shall not extend to lessen the Sum provided by this Act.

Residentiaries in what Cases not chargeable.

And whereas the Rents and Revenues belonging to the Residentiaries of the Cathedral Churches in England and Wales, are chargeable to the Land Tax granted by this present Act, and in some Cases the Overplus of the said Rents and Revenues, above such Tax, Repairs, and other Charges, is to go in Shares for the Maintenance of the said Residentiaries, which Shares are diminished by the said Land Tax; it is provided and enacted, That in such Cases the said Residentiaries shall not, by this Act, or any the Clauses therein contained, be further chargeable, as enjoying Offices of Profit out of the said Rents and

and Revenues; any thing herein contained to the contrary notwithstanding.

Provided, That this Act, or any of the several Clauses therein contained, shall not extend to charge a certain Pension of One hundred Pounds per Annum, granted by the late King Charles the Second to the poor Clergy of the Isle of Man.

Nor 100*l. per Ann.* to the poor Clergy of the Isle of *Man*.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to lay any Charge or Duty upon the Pensions or Salaries of His Majesty's Pages of Honour.

Nor Pages of Honour.

Provided always, and it is hereby enacted, That in case there hath been, or shall be, any Failure of raising or paying the several Sums of Money charged upon any County, City, Riding, or Place, by this or any former Acts for granting an Aid to His late Majesty King William the Third, or Her late Majesty Queen Anne, or His late Majesty King George, or His present Majesty, by a Land Tax; the Receiver-general of such County, City, Riding, Division, or Place respectively, of such Tax or Assessment, or the Receiver-general to be appointed in pursuance of this Act, of the same County, Riding, Division, City, or Place, shall certify, under his Hand, to the Barons of the Court of Exchequer, the particular City, Town, Parish, or Place, where such Failure of Payment hath happened, together with the Names of the Assessors and Collectors, and the several other Persons belonging to the said City, Town, Parish, or Place, charged with the said Tax; which said City, Town, Parish, or Place, or any Person or Persons, charged with the said Tax, within such City, Town, Parish, or Place, shall be liable to Process for such Neglect in raising and paying the same, according to the Directions of the said Act.

Receivers-general to give Notice of Failures in Payment of the Taxes.

Provided always, That the Commissioners appointed for the County of the City of Lincoln, may act as Commissioners in the Execution of this Act, or any the Powers therein contained, within the Bail and Close of Lincoln; any thing in this Act to the contrary notwithstanding.

Commissioners for *Lincoln* to act in *Lincoln Close*.

Provided always, That the Commissioners for the County of Lincoln may act as Commissioners in the Execution of this Act, or any the Powers therein contained, within the Parish of Saint Martin Stamford Baron, in the County of Northampton, as usually; any thing in this Act contained to the contrary notwithstanding.

And for the County, in St. *Martin Stamford Baron*.

Provided always, and be it further enacted by the Authority aforesaid, That there shall be provided and kept in His Majesty's Exchequer (that is to say) in the Office of

Auditors to keep a Register, &c.

the Auditor of the Receipt, One Book of Register, in which all the Money, that shall be paid into the Exchequer for the Pound-rates and Duties hereby granted, shall be entered and registered apart and distinct from all other Monies paid and payable to His Majesty.

Deputies to pay for Principals, and on Nonpayment liable to Distress.

And whereas divers Offices and Employments of Profit, chargeable by this Act, are executed by Deputy, and the principal Officers living in Places remote from the Division, Parish, or Place where such Offices or Employments are tarable, the Rates and Assessments for such particular Offices and Employments cannot be recovered without great Charge and Difficulty; be it therefore enacted by the Authority aforesaid, That where any Office or Employment of Profit, chargeable by this Act, is or shall be executed by Deputy, such Deputy shall pay such Assessment as shall be charged thereon, and deduct the same out of the Profits of such Office or Employment; and in case of Refusal, or Nonpayment thereof, such Deputy shall be liable to such Distress as by this Act is prescribed against any Person having and enjoying any Office or Employment of Profit, and to all other Remedies and Penalties therein respectively contained; and that there shall be the like Remedies and Penalties, for the recovering the Monies assessed upon any such Office or Employment of Profit to the Land Tax for the Year One thousand seven hundred and six, and for any subsequent Year not yet satisfied, in all Cases where the Accounts of those Years, or any of them, are not otherwise cleared in the Exchequer.

Receiver-general to give a List of Money received by him, at the Time and Place appointed.

And it is hereby enacted by the Authority aforesaid, That at every Time and Place, appointed by the Commissioners for the Collectors to pay in the Monies by virtue of this Act to be paid to the Receiver-general, or his Deputy, for any County, Riding, City, Town, or Place, in England, Wales, or Berwick upon Tweed, the said Receiver-general, or his Deputy, under his Hand, shall deliver a List or Certificate, fairly written, to such Person as the said Commissioners, or any Three or more of them, shall, under their Hands, authorize and appoint to attend them and there for that Purpose, containing the several and respective Sums of Money, then and there, or before that Time, paid by the respective Collectors for each Town or Place in that Hundred or Division: And in case there shall be any Refusal or Neglect in delivering such List or Certificate as aforesaid, such Receiver-general, or his Deputy, so refusing or neglecting, shall forfeit any Sum of Money, not exceeding Twenty Pounds, to be imposed by any Three or

On Refusal, to forfeit any Sum not exceeding 20 *l.*

more of the said Commissioners, and to be ordered, levied, and answered into the Receipt of His Majesty's Exchequer, in such Manner as by this Act is directed, touching the Fines imposed on Assessors and Collectors, as aforesaid.

Persons distraining upon Collectors, may keep so much Money as any 3 Commissioners judge reasonable.

And be it enacted and declared by the Authority aforesaid, That where any Person or Persons, who, in pursuance of any former Act or Acts for granting an Aid to Her late Majesty Queen Anne, or His late Majesty King George, or His present Majesty, by a Land Tax, have seized or distrained, or in pursuance of this Act shall seize or distrain the Goods or Chattles of any Collector, his Heirs, Executors, or Administrators, on Nonpayment of any Sum or Sums of Money, which such Collector, his Heirs, Executors, or Administrators, was or shall be obliged to pay by virtue of this or any former Act; it shall and may be lawful to and for such Person or Persons making such Distress, out of the Money arising by the Sale of such Goods and Chattles (such Sum and Sums of Money, for which Distress shall or may be made, being first thereout satisfied and paid) to keep in his or their Hands, to and for his and their own Use, so much Money, as the Commissioners, or any Two or more of them (who ordered, or shall order, such Distress) shall in their Discretion judge reasonable for making such Distress, as also for the Charges in keeping thereof, or otherwise relating thereto, rendering the Overplus (if any be) to the Owner.

No Receiver to return an *insuper* upon any County, &c. after 3 Years, for Monies in Arrear,

And whereas some Receivers of former Land Taxes have neglected or delayed the passing their Accounts in the Exchequer in due Time, and have, after several Years elapsed, set insuper some Counties, Divisions, or Places, for Monies which were there raised, and for the answering whereof due Proof might have been made, in case such Receivers had accounted sooner, whereby several Counties, Divisions, and Places have been put to unreasonable Charge and Vexation; it is therefore hereby provided, declared, and enacted by the Authority aforesaid, That no Receiver whatsoever of any Monies granted by this Act, to be raised in England, Wales, or the Town of Berwick upon Tweed, or any Heirs, Executors, or Administrators, of such Receiver, shall, in any Accounts of the Monies wherewith such Receiver shall be chargeable (unless such Account be declared and passed in the Exchequer within Three Years at the farthest after the Twenty fourth Day of March, One thousand seven hundred and fifty three) be allowed or admitted to set insuper, or charge any County, Division, or Place, in England,

Wales, or the Town of Berwick upon Tweed, for any Monies granted by this Act, which shall be in Arrear, and unpaid; but that the same shall remain a Debt upon every such Receiver, to be answered by him and his Securities, his and their Heirs, Executors, or Administrators, Lands, Tenements, Goods, and Chattles respectively; any thing herein contained to the contrary notwithstanding.

but the same to be a Debt on him and his Securities.

And be it enacted by the Authority aforesaid, That the respective Persons, who have received or collected, or shall receive or collect the yearly Profits of the Water-works within the Town of Shrewsbury, shall be, and are hereby, charged and chargeable with the Payment of the Tax that shall be assessed on the said Profits by this Act, to be levied in such Manner as other Aids and Assessments in and by this Act are directed; and the respective Persons so charged as aforesaid, and paying the same, shall be allowed the same on their Accounts, by the Proprietors thereof for the time being; any thing herein contained to the contrary notwithstanding.

Water-works in *Shrewsbury* chargeable.

And whereas by and in pursuance of certain Clauses, which were contained in the several Acts of Parliament for the Land Tax, which passed in the Reign of Their late Majesties Queen Anne, and King George the First, and in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty first, Twenty second, Twenty third, Twenty fourth, and Twenty fifth Years of his present Majesty's Reign, several Parishes and Places have been discharged by the Barons of the Exchequer, of certain Overplus Sums, wherewith they were respectively over-burthened, by reason of double Taxes formerly charged upon them; and the like Overplus Sums are not comprehended in the Proportions by this Act charged upon the Counties, Cities, or other Places, wherein the said Parishes or Places formerly over-burthened as aforesaid, were situate: It is hereby declared and enacted, That the Ease so given shall accrue only to the respective Parishes or Places formerly over-burthened as aforesaid, and shall not be construed or taken to lessen, abate, or discharge any of the Sums or Proportions to be raised in any other City, Borough, Parish, Town, or Place whatsoever.

Who shall have the Benefit only of Overplus Sums uncharged.

And whereas the Sums that were assessed by virtue of the Act for the former Aid of Four Shillings in the Pound, which was made and passed in the Fourth Year of the Reign of Their said late Majesties King William

and

and Queen Mary, do not only govern the Proportions set upon every County, City, Riding, Town, or other Place hereby charged with a certain Sum in this Act set down and expressed; but are also to regulate the Proportions thereof in every Hundred or Division respectively, towards the said Sum of Nine hundred ninety four thousand nine hundred seventy two Pounds, Fourteen Shillings: And whereas towards the Assessments which were made by virtue of the said Act of the Fourth Year of Their said late Majesties Reign, several Lands, Tenements, Rents, and other Hereditaments of Papists, and other Persons, for refusing or neglecting to take the Oaths therein contained, were assessed to pay double the Rates therein expressed; and since the making those Assessments, several of the said Papists, and other Persons, which are so doubly taxed, have taken the said Oaths, or their Lands are come to Protestants, whereby their Estates will be charged on this Act only to such an equal Pound-rate, as is to be borne by their Protestant Neighbours; and several of the said Papists, and other Persons, formerly doubled taxed, as aforesaid, are since dead, or have bona fide sold their Estates, and the Estates which belonged to such Persons do now belong to Persons not liable to the said double Assessments; and by Occasion of the said former double Rates, which were on the said Papists, or Persons who have since taken the said Oaths, or whose Estates are since come to Protestants, as aforesaid, some Parishes, Townships, or other Places, may be over-burthened, or charged with more than Two Shillings in the Pound (reckoning by the Rack-rent, and utmost improved Value of their Estates) towards the said Sum of Nine hundred ninety four thousand nine hundred seventy two Pounds, Fourteen Shillings, if a suitable Remedy be not provided: Be it therefore enacted by the Authority aforesaid, That where the Lands, Tenements, Rents, or Hereditaments of a whole Parish, Town, or Place, which shall have a Proportion to raise, in pursuance of this Act, shall be charged with more than Two Shillings in the Pound, upon the yearly Value (reckoning by the Rack-rents, and the highest Improvements made of such Lands, Tenements, or Hereditaments) towards the said Sum of Nine hundred ninety four thousand nine hundred seventy two Pounds, Fourteen Shillings, by this Act granted, because the Estates of Papists, and other Persons formerly doubly taxed, as aforesaid, by their taking the said Oaths, or the Estates being come to Protestants by Purchase

Clause for the Ease of Protestants, to whom Lands, &c. have come, which have been doubly taxed.

Where Lands formerly doubly taxed are liable only to a single Assessment;

chase bona fide, or the Death of such Papists, or any other Persons formerly doubly tared, as aforesaid, are or may be liable only to a single Assessment; in all and every such Case and Cases it shall and may be lawful to and for the Commissioners of the Hundred, Lathe, Wapentake, Rape, Ward, or other Division, in which such Parish, Town, or Place doth lie, or any Two or more of them, and in like Manner to and for the Commissioners of any City, Borough, Port, or Town for which Commissioners are by this Act appointed, or any Two or more of them, upon Complaint thereof to them made, for and on Behalf of the Owners or Occupiers of the Lands, Tenements, Rents, and Hereditaments in any such City, Borough, Port, Parish, Town, or Place respectively, to examine into the Matter of such Complaint; and if they are satisfied of the Truth thereof, the said Commissioners, or any Two or more of them, are hereby required and impowered, at any Time before the Twenty ninth Day of September, One thousand seven hundred and fifty three, and not afterwards, to certify to the Barons of his Majesty's Court of Exchequer for the time being, the Names of such Persons formerly doubly tared, as aforesaid, and how much their Double Tax did amount to, and how much the Sum charged by virtue of this Act, upon the Lands, Tenements, Rents, or Hereditaments, in such City, Borough, Port, Parish, Town, or Place, by Occasion of their Lands being now liable to a single Assessment, as aforesaid, doth exceed Two Shillings in the Pound of the full and true yearly Value thereof: And the said Barons of the Exchequer, or any Two or more of them, are hereby authorized and required to enquire and inform themselves, by the Oaths of Two credible Witnesses at the least, concerning the Truth of the said Certificates; and in all Cases where they shall be satisfied therein, the said Barons, or any Two or more of them, have hereby Power by their Discretions, at any Time before the last Day of November, One thousand seven hundred and fifty three, to discharge, or cause to be discharged, the Overplus, or so much of the Sum by this Act charged or chargeable upon such City, Borough, Town, Parish, or Place, towards the said Sum of Nine hundred ninety four thousand nine hundred seventy two Pounds, and Fourteen Shillings, as shall, by the Occasions aforesaid, exceed the Rate of Two Shillings in the Pound; and the said Overplus shall or may be discharged upon the Duplicates to be returned for such City, Borough, Town, Port, Parish, or Place respectively, and shall be

Commissioners, on Complaint, to examine into the Truth thereof,

and to certify the same to the Barons of the *Exchequer*, before 29 *Sept.* 1753.

who are to discharge the Overplus before the last Day of *Nov.* 1753.

be allowed upon the Account of the reſpective Receivers-general; and the Inhabitants of every ſuch City, Borough, Port, Pariſh, Town, or Place, ſhall be acquitted againſt His Majeſty, His Heirs, and Succeſſors, for and touching the Payment of ſuch Overplus Monies ſo diſcharged, or ordered to be diſcharged, by the Barons of the Exchequer, or any Two or more of them, as aforeſaid; any thing herein contained to the contrary notwithſtanding; and that ſuch Pariſh, Town, Port, or Place, ſo diſcharged by the Barons, and no others, ſhall have the Benefit of the Sums ſo diſcharged by this Act; and no Officer, or other Deputy or Clerk whatſoever, ſhall take any Fee, Reward, or Gratuity, for or upon account of ſuch Diſcharge. And it is hereby declared, That the Overplus Sums ſo diſcharged, ſhall be abated out of the Sums laid on ſuch reſpective City, Town, Pariſh, or Place only, and ſhall not be conſtrued or taken to leſſen, abate, or diſcharge, any of the Sums or Proportions to be raiſed in any other City, Borough, Town, Pariſh, or Place whatſoever. Which ſaid reſpective Certificate or Certificates, or a true Copy or Copies thereof, whereby the ſaid Pariſh or Pariſhes, Place or Places, have been diſcharged by the ſaid Barons of the Exchequer, of ſuch Overplus Sums, ſhall be produced by the Perſons claiming the Benefit thereof, to the Commiſſioners of the Land Tax at their next general Meeting, to aſcertain the Proportion on each Diviſion, after ſuch Certificate or Certificates have been obtained.

Commiſſioners may ſummon Collectors, who have converted Land Tax Monies to their own Uſe,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners who ſhall have Power to execute this preſent Act, within any Hundred, Diviſion, Pariſh, or Place reſpectively (other than ſuch Commiſſioners as have been Collectors of any Land Tax there) or the major Part of them, who ſhall be preſent at any publick Meeting or Meetings for this Purpoſe, at their uſual Place of Meeting, for ſuch Hundred, Diviſion, Pariſh, or Place reſpectively, to iſſue their Precept or Precepts to all and every ſuch Collector or Collectors, who are or ſhall be ſuſpected by ſuch Commiſſioners, or the major Part of them then preſent, to have received or levied any Sum or Sums of Money within any Pariſh or Townſhip, by or under Colour or Pretext of any Act or Acts of Parliament, which at any Time or Times within Seven Years next before the Beginning of this Seſſion of Parliament have been made or paſſed for granting to His Majeſty a Land Tax or Land Taxes, jointly with any other Tax or Taxes in ſuch Act or Acts

comprehended, and to have converted the same fraudulently to his and their own Use and Uses; and if such Collector or Collectors be dead, then to issue such Precept to their Heirs, Executors, or Administrators respectively, thereby requiring all and every such Collector or Collectors, their Heirs, Executors, or Administrators, to appear before the said Commissioners, at the Time and Place in such Precept or Precepts to be mentioned: And upon their, or any of their Appearances, or making Default (after Summons delivered to them, or left at the usual Places of their Abode respectively) the said Commissioners, in their respective Divisions or Districts, or the major Part of them, which shall be present at any Meeting or Meetings in this Behalf, as aforesaid, shall and have hereby Power to enquire by Examination of Witnesses upon Oath, or any other lawful Ways or Means, by which the Truth may be best known, and to determine what Sum or Sums of Money the said Collectors, or any of them, did receive or levy, or fraudulently convert to their own Use or Uses as aforesaid; and thereupon to issue their Warrants and Orders, requiring all and every such Collector or Collectors, their Heirs, Executors, and Administrators respectively, in whose Hands the said Commissioners, or the major Part of them, shall find any such Money to be remaining, or shall be chargeable therewith respectively, to pay the same to his Majesty's Use, in Manner following (that is to say) in case there be any Deficiency remaining upon any such Parish or Township, of the Quota or Proportion charged thereupon to the Tax imposed by the Act or Acts, whereby, or by Colour whereof, the Money found, as aforesaid, was collected or levied; then every such Deficiency shall be satisfied, in the first Place, out of the Monies so to be recovered, or the same Monies, so far as they will extend, shall be applied for or towards the making good of every such Deficiency respectively; and in all Cases where there is no Deficiency upon any such Parish or Township, or there shall be an Overplus more than sufficient to discharge any such Deficiency, the said Commissioners, or the major Part of them, shall by their said Order require the said Monies so found, or the Overplus thereof, to be paid by the said respective Collectors, their Heirs, Executors, or Administrators, to the Receiver-general, towards discharging so much of the Proportions to be charged on such Parish or Township, by virtue of this present Act.

or their Heirs, &c.

and on Examination may issue their Warrants for paying such Monies to His Majesty's Use.

And

The Payments made according to the Commiſſioners Warrants, &c. ſhall be Diſcharges to the Collectors.

And it is hereby declared and enacted, That ſuch Payments ſo to be made in purſuance of the ſaid Orders or Warrants of the ſaid Commiſſioners, or the major Part of them, as aforeſaid, ſhall be good and ſufficient Diſcharges to the ſaid Collectors, their Heirs, Executors, and Adminiſtrators reſpectively, againſt His Majeſty, His Heirs, and Succeſſors, and all other Perſons whatſoever.

Collectors not paying, may be impriſoned, and their Eſtates ſeized and ſold.

And it is hereby declared and enacted by the Authority aforeſaid, That if any ſuch Collector, as aforeſaid, ſhall neglect or refuſe to pay any Sum or Sums of Money according to ſuch Order of the ſaid Commiſſioners, as aforeſaid, within the Time or Times by ſuch Order or Orders to be limited; the ſaid Commiſſioners for each Hundred, Pariſh, or Place, or any Two or more of them, in their reſpective Diviſions or Diſtricts, are hereby authorized and impowered to impriſon the Perſon of every ſuch Collector, till he makes Payment of the ſaid Money; and to ſeize and ſecure the Eſtate, as well Freehold as Copyhold, and all other Eſtate, both Real and Perſonal, of ſuch Collector, to him belonging, or which ſhall deſcend or come into the Hands or Poſſeſſion of his Heirs, Executors, or Adminiſtrators, whereſoever the ſame can be diſcovered or found; and the ſaid Commiſſioners, who ſhall ſo ſeize and ſecure the Eſtate of any ſuch Collector or Collectors, ſhall be, and are hereby impowered to appoint a Time for a General Meeting of the ſaid Commiſſioners for ſuch Hundred, Diviſion, Pariſh, or Place, and to cauſe publick Notice to be given of the Place where ſuch Meeting ſhall be appointed, Six Days at leaſt before ſuch Meeting; and the Commiſſioners preſent at ſuch Meeting, or the major Part of them (in caſe the Monies detained be not paid and ſatisfied as it ought to be, according to the Directions of this Act) ſhall, and are hereby impowered and required to ſell and diſpoſe of all ſuch Eſtates, which ſhall be for the Cauſe aforeſaid ſeized and ſecured, or any Part thereof; and, out of the Monies ariſing by ſuch Sale, to ſatisfy and pay (in Manner preſcribed by this Act) the Sum which ſhall be detained in the Hands of ſuch Collector or Collectors, their Heirs, Executors, and Adminiſtrators reſpectively, with the Charges of recovering, raiſing, and paying the ſame; and the Overplus (if any be) to be reſtored to ſuch Perſon as owned the ſaid Eſtate before the Sale thereof; any former Act or Acts of Parliament, or other Matter or Thing, to the contrary notwithſtanding.

And

Arrears of former Land Taxes to be levied by the present Commissioners.

And whereas several Arrears of Land Taxes, granted by former Acts of Parliament, do still remain unsatisfied, which ought to have been levied, assessed, or re-assessed by the respective Commissioners in such Acts named or appointed, some of which being since dead, or removed to distant Places; it is hereby declared and enacted by the Authority aforesaid, That the Commissioners by this Act named or appointed, or so many of them as are hereby impowered to cause the Monies by this Act granted to be assessed or raised, shall, and they are hereby impowered to cause the Monies so in Arrear upon the said Land Taxes, to be assessed, re-assessed, levied, and answered, as fully and effectually as any Commissioners appointed by former Acts might have done in that Behalf; and the said Assessors, Collectors, and Receivers, shall respectively assess, re-assess, levy, receive, and answer the several Arrears, in such Manner, and under such Penalties, and by such Means, and as fully and effectually as in this Act they are impowered and required, with respect to the several Sums by this Act charged.

No Receiver-general, or his Agents, may sue the County for a Robbery, unless the Persons carrying the Money be 3 in Company.

And be it further enacted by the Authority aforesaid, That no Receiver-general of any of the Taxes by this Act granted, or any of his Agent or Agents, Servant or Servants by him employed for the carrying any of the Monies to be received for or on Account of the said Taxes, shall maintain any Action or Actions against any Hundred or Hundreds in that Part of Great Britain called England, for or upon account of his or their being robbed on the King's Highway of any of the said Monies, unless the Person or Persons, so carrying such Monies, shall, at the Time of such Robbery, be together in Company, and be in Number Three at the least, to attest the Truth of his or their being so robbed; any Law, Statute, or Provision to the contrary thereof in any wise notwithstanding.

Tolls or Duties on Turnpikes not chargeable by this or any former Act.

And whereas by virtue of several Acts of Parliament specially made, or to be made, for the better repairing of certain publick Roads, Turnpikes have been or may be set up, and Tolls or Duties taken for repairing the said Roads; it is hereby provided and declared by the Authority aforesaid, That such Tolls and Duties are not, and shall not be liable to be rated or taxed, towards the Aid granted by this Act, or towards any Aid granted by any former Act for a Land Tax; and that the several Officers and Persons employed, or to be employed in collecting such Tolls, and repairing such Roads, shall not be liable to be taxed or rated in any Manner whatsoever, by reason of their said Offices or Employments, or any Salary arising thereby; this Act,

or any other Law or Statute to the contrary notwithstanding.

Commissioners may, before 29 *Sept.* 1753, summon Assessors, who have not charged their Estates since 6 *May*, 1717.

And be it further enacted by the Authority aforesaid, That where the Commissioners appointed to execute this present Act in any County, Division, Hundred, Riding, City, Town, or Place, or any Five or more of them, shall have good Reason to suspect that the Assessors appointed for any Parish or Place, pursuant to any Act or Acts of Parliament for granting an Aid or Aids to the Crown by a Land Tax or Land Taxes, have, in Fraud of any Parish or Place, for which they are Assessors, since the Sixth Day of May, One thousand seven hundred and seventeen, being omitted to be charged or assessed for any of their own Estates, which ought to have been charged or assessed to such Land Tax or Land Taxes, it shall be lawful for such Commissioners for such County, Division, Hundred, City, Riding, Town, or Place respectively, or any Five or more of them, and they are hereby authorized and required, at such convenient Time or Times before the Twenty ninth Day of September, which shall be in the Year of our Lord One thousand seven hundred and fifty three, to summon and call before them the Assessors for the time being, since the said Sixth Day of May, One thousand seven hundred and seventeen, for such Parishes and Places respectively, and to examine such Assessors, or any of them, or any other Person or Persons upon Oath (which Oath or Oaths the said Commissioners are hereby impowered and required to administer) for Discovery or Proof of any such Fraud or Omission, since the said Sixth Day of May, One thousand seven hundred and seventeen; and as the said Commissioners, or the major Part of them present, shall find the Case to be, they shall compute the Wrong which any such Parish or Place hath sustained by reason or occasion of any such Fraud or Omission, and shall award Satisfaction to be made accordingly to such Parishes and Places respectively, by the respective Assessors, whose Estates have been so omitted to be charged or assessed as aforesaid; and the said Commissioners shall, by Warrant or Warrants under their Hands and Seals, cause the Sum or Sums so awarded to be levied upon the Persons, or the Executors or Administrators of the Persons respectively, who have been so omitted to be charged or assessed as aforesaid, and upon their Goods and Chattles respectively; all which Sums so to be levied shall be paid into the Hands of the Collectors of the Land Tax, to be appointed pursuant to this Act for such respective Parishes and Places, to the end

and examine them upon Oath;

and award Satisfaction,

to be levied and paid to the Collectors.

the said Parishes and Places respectively may have the Benefit thereof, and may be eased accordingly in their Proportion to this present Aid, or to the next Aid or Aids which shall be granted to His Majesty, His Heirs, or Successors, by a Land Tax: Provided nevertheless, that the Quota of the Aid granted to His Majesty shall not be lessened for any such Parish or Place.

Commissioners, &c. to distinguish and set down the gross Sums assessed for double Taxes, to be transmitted into the Exchequer.

And be it further enacted by the Authority aforesaid, That such Commissioners as are by this Act required to transmit, or cause to be transmitted, the above-mentioned Schedules or Duplicates in the King's Remembrancer's Office of the Exchequer, or any Three or more of them, shall, and they are hereby required, in every such Schedule or Duplicate, to distinguish and set down, or cause to be distinguished and set down, the gross Sum which shall be assessed, charged, or payable in every Hundred or Division respectively, by virtue of this Act, for double Taxes, that so it may be known how much the double Taxes arising by this Act do or will amount to in every Hundred and Division, where any such shall be.

Assessments on the Town of *Cambridge* to be raised on Manors, &c.

Provided always, and be it further enacted by the Authority aforesaid, That the Sum appointed by this Act to be raised by the Town of Cambridge, shall be raised and levied by rating all Manors, Messuages, Lands, and Tenements, Woods, Underwoods, Coppices, Fishings, Locks, Wears, and Sluices, upon the River Cam, *alias* Grant, Tithes, Tolls, Markets, Fairs, Booths, Stalls, and Standings in such Fairs and Markets, and the Rents and Profits of the same, and all other Hereditaments, of what Nature or Kind soever they be, situate, lying, and being, happening, or arising in the said Town, or within the Bounds, Limits, and Precincts thereof; and also all Estates, in Goods, Wares, Merchandizes, and other Chatties and Personal Estates whatsoever belonging to the said Town, or any the Members of the same, except only such Personal Estate as in this Act before is excepted.

and on Fishings, &c. on the River *Cam*.

On whom, and when, yearly Assessments on Fairs, &c. to be collected.

And whereas Fairs are usually held for some short Time in the Year only, by Means whereof it may be impossible to levy the Proportions to be assessed by virtue of this Act, on the Fairs to be held within the said Town, or Limits thereof, by such quarterly Payments as by this Act is directed to be done in other Cases; be it further enacted by the Authority aforesaid, That the Collectors to be appointed by virtue of this Act for levying and collecting the said Rates and Cares shall demand the intire Sum which shall be assessed for the whole Year on such Fairs, and the Booths, Stalls, and Standings in the same, from the Parties themselves, who shall set to Sale any Goods or

Merchandizes in the said Fairs, Booths, Stalls, or Standings, or otherwise occupy the same, if they can be found, or else upon the Premisses charged with such Assessments, at any Time within Seven Days after the first Proclaiming of such Fair or Fairs; and in Default of Payment thereof shall levy the Sum assessed, by Distress and Sale of all the Goods and Chatties that shall be found in the said Booths, Stalls, or Standings, in such Manner as is herein directed to be done in other Cases.

Distress on Default of Payment, how to be levied.

And it is hereby enacted and declared, That the said Collectors shall have all such Powers of making such Distress as is hereby given to Collectors in other Cases; and the several and respective Tenants of all such Booths, Stalls, and Standings, which shall be rated by virtue of this Act, are hereby required and authorized to pay such Sum and Sums of Money as shall be rated thereon, and to deduct the same out of the Rent payable for such Booths to their respective Landlords.

Tenants of Booths, &c. to pay the Rates, and deduct them out of their Rents, &c.

And be it further enacted by the Authority aforesaid, That the Sum of Twenty three thousand nine hundred seventy seven pounds, and seven pence, by this Act granted, shall be raised and levied in that Part of Great Britain called Scotland, by an Eight Months Cess of Two thousand nine hundred ninety seven pounds, two shillings, and six pence, and seven eighth parts of a penny of lawful Money of Great Britain, for every Month; the said Cess to be raised out of the Land Rent of Scotland, according to the monthly Proportions within the respective Shires, Stewartries, Cities, and Boroughs herein after expressed; that is to say,

23,977 *l.* 7 *d.* to be raised in *Scotland*, by an 8 Months Cess of 2,997 *l.* 2*s.* 6 *d.* and seven eighth Parts of a Penny *per Mensem*.

WIthin the Sheriffdom of Edinburgh, the monthly Sum of One hundred thirty two pounds, six shillings, and seven pence halfpenny, of lawful Money of Great Britain.

Within the Sheriffdom of Haddington, the monthly Sum of One hundred fifteen pounds, thirteen shillings, and one penny, and seven eighth parts of a penny, of like Money.

Within the Sheriffdom of Berwick, the monthly Sum of One hundred sixteen pounds, eighteen shillings, and eight pence three farthings, of like Money.

Within the Sheriffdom of Roxburgh, the monthly Sum of One hundred fifty three pounds, five shillings, and two pence, and five eighth parts of a penny, of like Money.

Within

Within the Sheriffdom of Selkirk, the monthly Sum of Thirty seven pounds, eleven shillings, and eleven pence, and one eighth part of a penny, of like Money.

Within the Sheriffdom of Peebles, the monthly Sum of Forty three pounds, six shillings, and seven pence, and three eighth parts of a penny, of like Money.

Within the Sheriffdom of Lanerk, the monthly Sum of One hundred twenty eight pounds, ten shillings, and three pence three farthings, of like Money.

Within the Sheriffdom of Dumfries, the monthly Sum of One hundred twelve pounds, fifteen shillings, and four pence, and five eighth parts of a penny, of like Money.

Within the Sheriffdom of Wigtown, the monthly Sum of Forty one pounds, fifteen shillings, and three pence, and seven eighth parts of a penny, of like Money.

Within the Stewartry of Kirkcudbright, the monthly Sum of Sixty nine pounds, twelve shillings, and one penny three farthings, of like Money.

Within the Sheriffdom of Air, the monthly Sum of One hundred sixty pounds, seventeen shillings, and eight pence, and three eighth parts of a penny, of like Money.

Within the Sheriffdom of Dumbarton, the monthly Sum of Thirty one pounds, fifteen shillings, and six pence, and seven eighth parts of a penny, of like Money.

Within the Sheriffdom of Bute, the monthly Sum of Twelve pounds, fifteen shillings, and five pence, and one eighth part of a penny, of like Money.

Within the Sheriffdom of Renfrew, the monthly Sum of Fifty six pounds, five shillings, and one penny farthing, of like Money.

Within the Sheriffdom of Striveling, the monthly Sum of Seventy two pounds, eighteen shillings, and five pence three farthings, of like Money.

Within the Sheriffdom of Linlithgow, the monthly Sum of Forty eight pounds, twelve shillings, and seven pence, and three eighth parts of a penny, of like Money.

Within the Sheriffdom of Perth, the monthly Sum of Two hundred nine pounds, nine shillings, and one penny farthing, of like Money.

Within the Sheriffdom of Kincardine, the monthly Sum of Forty pounds, eighteen shillings, and seven eighth parts of a penny, of like Money.

Within the Sheriffdom of Aberdeen, the monthly Sum of One hundred sixty nine pounds, fourteen shillings, of like Money.

Within

Within the Sheriffdom of Inverneſs, the monthly Sum of Fifty pounds, eight ſhillings, and five pence three farthings, of like Money.

Within the Sheriffdom of Roſs, the monthly Sum of Fifty ſeven pounds, five ſhillings, and ſix pence, and ſeven eighth parts of a penny, of like Money.

Within the Sheriffdom of Nairn, the monthly Sum of Eleven pounds, ten ſhillings, and eleven pence farthing, of like Money.

Within the Sheriffdom of Cromarty, the monthly Sum of Two pounds, ſixteen ſhillings, and eight pence, and ſeven eighth parts of a penny, of like Money.

Within the Sheriffdom of Argyll, the monthly Sum of Eighty pounds, nineteen ſhillings, and two pence halfpenny, of like Money.

Within the Sheriffdom of Fife and Kinroſs, the monthly Sum of Two hundred fifteen pounds, and three farthings, of like Money.

Within the Sheriffdom of Forfar, the monthly Sum of One hundred thirty ſix pounds, one ſhilling, and nine pence, and ſeven eighth parts of a penny, of like Money.

Within the Sheriffdom of Bamff, the monthly Sum of Forty ſeven pounds, ſixteen ſhillings, and three pence halfpenny, of like Money.

Within the Sheriffdom of Sutherland, the monthly Sum of Thirteen pounds, nineteen ſhillings, and four pence farthing, of like Money.

Within the Sheriffdom of Caithneſs, the monthly Sum of Twenty four pounds, eighteen ſhillings, and two pence, and five eighth parts of a penny, of like Money.

Within the Sheriffdom of Elgin, the monthly Sum of Forty four pounds, and ſeven pence halfpenny, of like Money.

Within the Sheriffdom of Orkney and Zetland, the monthly Sum of Forty five pounds, four ſhillings, and eleven pence, and ſeven eighth parts of a penny, of like Money.

Within the Sheriffdom of Clackmannan, the monthly Sum of Fourteen pounds, twelve ſhillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the City of Edinburgh, the monthly Sum of One hundred ſixty ſix pounds, five ſhillings, and ſeven pence halfpenny, of like Money.

Within

Within the Burgh of Perth, the monthly Sum of Nineteen pounds, four shillings, and one penny halfpenny, of like Money.

Within the Burgh of Dundee, the monthly Sum of Thirty pounds, eight shillings, and seven pence, of like Money.

Within the Burgh of Aberdeen, the monthly Sum of Thirty three pounds, eight shillings, and five pence halfpenny, of like Money.

Within the Burgh of Striveling, the monthly Sum of Eight pounds, nineteen shillings, and six pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Linlithgow, the monthly Sum of Eight pounds, nine shillings, and seven pence farthing, of like Money.

Within the City of Saint Andrew, the monthly Sum of Seven pounds, eight shillings, of like Money.

Within the City of Glasgow, the monthly Sum of Fifty nine pounds, seventeen shillings, and six pence, of like Money.

Within the Burgh of Air, the monthly Sum of Eight pounds, twelve shillings, and ten pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Haddington, the monthly Sum of Eight pounds, nineteen shillings, and six pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Dysert, the monthly Sum of Three pounds, nineteen shillings, and nine pence three farthings, of like Money.

Within the Burgh of Kircaldie, the monthly Sum of Eleven pounds, nine shillings, and five pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Montrose, the monthly Sum of Nine pounds, nine shillings, and six pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Cowper, the monthly Sum of Four pounds, nineteen shillings, and nine pence farthing, of like Money.

Within the Burgh of Anstruther Easter, the monthly Sum of Nineteen shillings, and eleven pence, and three eighth parts of a penny, of like Money.

Within the Burgh of Dumfries, the monthly Sum of Eight pounds, six shillings, and three pence, and three eighth parts of a penny, of like Money.

Within the Burgh of Inverness, the monthly Sum of Eight pounds, nineteen shillings, and six pence, and seven eighth parts of a penny, of like Money.

Within

Within the Burgh of Brunt Island, the monthly Sum of Nine pounds, seventeen shillings, and ten pence, and three eighth parts of a penny; of like Money.

Within the Burgh of Innerkeithing, the monthly Sum of One pound, nineteen shillings, and ten pence three farthings; of like Money:

Within the Burgh of Kinghorn, the monthly Sum of Two pounds, four shillings, and ten pence three farthings, of like Money.

Within the Burgh of Brechin, the monthly Sum of Two pounds, thirteen shillings, and ten pence halfpenny, of like Money.

Within the Burgh of Irwin, the monthly Sum of Four pounds, nine shillings, and nine pence halfpenny, of like Money.

Within the Burgh of Jedburgh, the monthly Sum of Four pounds, nine shillings, and nine pence halfpenny, of like Money.

Within the Burgh of Kirkeudbright, the monthly Sum of Three pounds, nineteen shillings, and nine pence three farthings, of like Money.

Within the Burgh of Wigtown, the monthly Sum of Three pounds, nine shillings, and ten pence, of like Money.

Within the Burgh of Pettenweem, the monthly Sum of Three pounds, six shillings, and six pence, and one eighth part of a penny, of like Money.

Within the Burgh of Dumfermling, the monthly Sum of Three pounds, nineteen shillings, and nine pence three farthings, of like Money.

Within the Burgh of Anstruther Wester, the monthly Sum of One pound, four shillings, and eleven pence, of like Money.

Within the Burgh of Selkirk, the monthly Sum of Three pounds, six shillings, and six pence, and one eighth part of a penny, of like Money.

Within the Burgh of Dumbarton, the monthly Sum of Two pounds, nine shillings, and nine pence farthing, of like Money.

Within the Burgh of Renfrew, the monthly Sum of One pound, nineteen shillings, and ten pence three farthings, of like Money.

Within the Burgh of Dumbar, the monthly Sum of Two pounds, nineteen shillings, and ten pence, and one eighth part of a penny, of like Money.

Within the Burgh of Lanerk, the monthly Sum of Two pounds, nineteen shillings, and ten pence, and one eighth part of a penny, of like Money.

Within

Within the Burgh of Aberbrothock, the monthly Sum of Two pounds, four shillings, and ten pence three farthings, of like Money.

Within the Burgh of Elgin, the monthly Sum of Four pounds, nineteen shillings, and nine pence farthing, of like Money.

Within the Burgh of Pebles, the monthly Sum of Two pounds, nineteen shillings, and ten pence farthing, of like Money.

Within the Burgh of Craile, the monthly Sum of Four pounds, nine shillings, and nine pence halfpenny, of like Money.

Within the Burgh of Tayne, the monthly Sum of One pound, fourteen shillings, and ten pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Culross, the monthly Sum of One pound, nineteen shillings, and ten pence three farthings, of like Money.

Within the Burgh of Bamff, the monthly Sum of One pound, nineteen shillings, and ten pence three farthings, of like Money.

Within the Burgh of Whithorn, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Forfar, the monthly Sum of Nineteen shillings, and eleven pence, and three eighth parts of a penny, of like Money.

Within the Burgh of Rothesay, the monthly Sum of One pound, nine shillings, and eleven pence, of like Money.

Within the Burgh of Nairn, the monthly Sum of Fourteen shillings, and eleven pence halfpenny, of like Money.

Within the Burgh of Forres, the monthly Sum of One pound, four shillings, and eleven pence, of like Money.

Within the Burgh of Rutherglen, the monthly Sum of Fourteen shillings, and eleven pence halfpenny, of like Money.

Within the Burgh of North-Berwick, the monthly Sum of Four shillings, and eleven pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Cullen, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Lawder, the monthly Sum of One pound, nine shillings, and eleven pence, of like Money.

Within the Burgh of Kintore, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Kilreny, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Annand, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Lockmaben, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Sanquhar, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of New Galloway, the monthly Sum of Four shillings, and eleven pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Dingwall, the monthly Sum of Nine shillings, and eleven pence, and five eighth parts of a penny, of like Money.

Within the Burgh of Dornock, the monthly Sum of Fourteen shillings, and eleven pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Queensferry, the monthly Sum of Two pounds, nine shillings, and ten pence halfpenny, of like Money.

Within the Burgh of Fortrose, the monthly Sum of One pound, four shillings, and eleven pence farthing, of like Money.

Within the Burgh of Inverury, the monthly Sum of Fourteen shillings, and eleven pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Weike, the monthly Sum of Sixteen shillings, and seven pence halfpenny, of like Money.

Within the Burgh of Innerbervey, the monthly Sum of Four shillings, and eleven pence, and seven eighth parts of a penny, of like Money.

Within the Burgh of Kirkwall, the monthly Sum of Two pounds, nine shillings, and ten pence halfpenny, of like Money.

Within the Burghs of Straenraver and Cambleton, the monthly Sum of One pound, four shillings, and eleven pence farthing, of like Money.

Provided always, That the Proportion of the said Boroughs in Scotland, be rated and paid as their Tax Roll now is or shall be settled by themselves; any

To be rated as the Tax Roll now is or shall be settled by themselves.

thing in this Act contained to the contrary notwithstanding.

The first Two Months Cess to be paid by 24 *June*, 1753.

And it is hereby enacted, That the said new Supply in Scotland is to be paid at the Terms following, that is to say, The Sum of Five thousand nine hundred ninety four pounds, five shillings, and one penny three farthings, of lawful Money of Great Britain, for the First Two Months Cess, shall be payable on or before the Four and twentieth Day of June, One thousand seven hundred and fifty three, and the like Sum of Five thousand nine hundred ninety four pounds, five shillings, and one penny three farthings, of like Money, as the

Second 29 *Sep.* 1753.

Second Two Months Cess, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty three, and the like Sum of Five thousand nine hundred ninety four pounds, five shillings, and one

Third 25 *Dec.* 1753.

penny three farthings, of like Money, as the Third Two Months Cess, on or before the Five and twentieth Day of December, One thousand seven hundred and fifty three, and the like Sum of Five thousand nine hundred ninety four pounds, five shillings, and one penny three farthings, of like Money, as the remaining Two Months Cess, on

Fourth 25 *March*, 1754.

or before the Five and twentieth Day of March, One thousand seven hundred and fifty four.

Commissioners of the Land Tax for the Years 1748, 1749, and 1751, to put this Act in Execution.

And be it further enacted by the Authority aforesaid, That all and every the Person and Persons, who in and by the said Act of Parliament, made and passed in the Twenty first Year of His Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and forty eight; and by One other Act of the Twenty second Year of His Majesty's Reign, intituled, An Act for rectifying Mistakes in the Names of several of the Commissioners appointed to put in Execution the Act for granting a Land Tax for the Year One thousand seven hundred and forty eight; and for appointing other Commissioners, together with those named in the said Act, to put in Execution an Act for granting a Land Tax for the Year One thousand seven hundred and forty nine; and for directing the Names of Collectors of the said Tax to be certified to the Receivers General; and for Relief of the Borough of *Honiton*, as to Arrears of the Land Tax, and the House and Window Taxes, for the Years One thousand seven hundred and forty seven, and One thousand seven hundred and forty eight, and also by One other Act of Parliament of the Twenty fourth Year of His Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*,

for the Service of the Year One thousand seven hundred and fifty one, or by any or either of those Acts, or by any other Act to which they, or any of them, have Relation, were named, appointed, or authorized, to be Commissioners for putting in Execution the same Acts, within the several Shires or Stewartries of Scotland, or such of them who have qualified, or shall qualify themselves according to the Laws of Scotland, in that Behalf, shall be Commissioners for ordering, raising, and levying the Supplies in Scotland, by this Act granted, in and for the same Shires and Stewartries respectively; which said Commissioners shall put in Execution this present Act, and the Powers therein contained, within and for the same Shires and Stewartries respectively; and the said Commissioners have hereby Power to choose their own Clerk, and to do every thing concerning the said Supply, as is prescribed and appointed by the Cess Act of the Sixth of November, One thousand seven hundred and six, and other Acts made in any former Parliament of Scotland, to which the said Act of the Sixth of November, One thousand seven hundred and six, doth relate, holding the same, as if herein repeated,

Commissioners to choose their own Clerk, and to have the same Power, as by the Cess Act of 6 *November*, 1706, &c.

And it is hereby further enacted, That Execution shall be done in Scotland for bringing in the said Supply, to be raised there, as is provided by the same Acts in all Points, not altered by this Act; and that the First Meeting of the said Commissioners of Shires in Scotland shall be at the respective Head Burghs thereof the First Day of May, One thousand seven hundred and fifty three; and that the Sheriffs and Stewarts, or their Deputies, do intimate the same to the said Commissioners of their Shires and Stewartries; with Power to the said Commissioners to appoint the subsequent Diets of their Meetings, and their Conveners, from time to time; as also to appoint Collectors with sufficient Caution, as they shall think fit.

And Execution to be done as by the said Acts.

First Meeting to be at the Head Burghs on 1 *May*, 1753.

And be it further enacted by the Authority aforesaid, That all Clauses contained in former Acts of Parliament of Scotland, and Convention of Estates there, in relation to the bringing in of the Cess, and Quartering, and touching Riding-money, shall stand in full Force, as to the Supply now imposed upon Scotland, as if they were herein expressed, and as they were observed before the making this Act.

All Clauses in former Acts relating to the bringing in the Cess, &c. to be in full Force.

And it is hereby declared, That no Person, whether Heretor or Collector, liable in Payment of the said Supply to be raised in Scotland, shall be holden to produce the Receipts and Discharges of the same, after Three Years from

No Persons in *Scotland* holden to produce their Receipts after 3 Years, &c.

from the respective Terms of Payment, unless Diligence be done therefore by Denunciation within the said Three Years; in which Case of Diligence by Denunciation, One Year farther is only added to the said Three Years; and none shall be holden to produce the Receipts or Discharges thereafter.

Debtor owing Money in *Scotland* at 6 *per Cent.* to retain a 6th Part of a 6 *per Cent.* from 11 *Nov.* 1752, to 11 *Nov.* 1753.

And because by the Supply hereby granted to be raised in Scotland, the Lands, Rents, and Burghs there are only burthened, and it being reasonable that the Personal Estates in Money shall bear some Proportional Burthen; be it further enacted by the Authority aforesaid, That every Debtor owing Money in Scotland, at Six Pounds per Centum Interest, shall, in the Payment of his annual Rents, have Retention in his own Hands of a Sixth Part of Six per Centum, and this Retention to be from the Eleventh Day of November, One thousand seven hundred and fifty two, to the Eleventh Day of November, One thousand seven hundred and fifty three; and it is hereby declared, That it shall be Usury for any Creditor to refuse to grant the said Retention there.

23,977 *l.* 7 *s.* to be raised, free of all Charges,

and to be paid at *Edinburgh*.

And it is hereby declared and enacted by the Authority aforesaid, That the said Sum of Twenty three thousand nine hundred seventy seven Pounds, and Seven Pence, shall be raised in Scotland, in the respective Shires, Stewartries, Cities, and Boroughs, free of all Charges to His Majesty, and shall in like Manner be paid, at the City of Edinburgh, to such Person or Persons as the Commissioners of the Treasury, or the High Treasurer of Great Britain for the time being, shall constitute and appoint to be the Receiver-general or Receivers thereof for His Majesty's Use; which said General Receiver, or Receivers, shall be answerable and accountable for the same to His Majesty in the Exchequer.

No Person to be a Commissioner of the Land Tax in *Scotland*, who is not enfeoft of 100 *l. Scots per Ann.* real Rent, in the County where he acts.

Exception.

Provided nevertheless, That no Person appointed by this Act to be a Commissioner for executing the several Powers and Things herein enacted, within any County or Stewartry in that Part of Great Britain called Scotland, shall be enabled or capable to be a Commissioner of the Land Tax, or for executing the several Powers and Things herein enacted, who is not enfeoft in Superiority or Property, or possessed as Proprietor or Life-renter of Lands valued in the Tax-roll of the County or Stewartry where he acts, to the Extent of One hundred Pounds Scots per Annum, excepting the eldest Sons and Heirs Apparent of Persons who are so enfeoft of Lands to the Extent and of the Valuation aforesaid; and that every Person, who shall take upon him to act as a Commissioner

missioner for executing any of the Powers or Things in this Act contained, within any County or Stewartry in Scotland, without being enseosk in Superiority or Property, or in the Possession of Lands in such County or Stewartry, of the aforesaid Value or Extent, or without being eldest Son and Heir Apparent of a Person so enseosk, or in Possession, shall forfeit the Sum of Twenty Pounds Sterling for every such Acting; to be recovered by Action, Complaint, or Petition, in a summary Way, at the Suit of any Hereror within the said County or Stewartry, before the County or Stewart Court, or before the Lords of Session in Scotland; and that in case of any such Suit or Complaint entered before any of the Courts aforesaid, the Person complained of shall be obliged to prove that he is enseosk, or in Possession, or is Son and Heir Apparent of a Person so enseosk, or in Possession of an Estate in Superiority or Property, within the County where he hath taken upon him to act, of the aforesaid Value or Extent, or otherwise shall forfeit the said Penalty of Twenty Pounds Sterling, without any Proof or Evidence to be brought on the Plaintiff's Part, other than that the Person complained of hath taken upon him to act as a Commissioner for executing the several Powers and Things in this Act contained.

Penalty 20 *l. Sterling.*

Provided always, That all and every Person appointed by this Act to be a Commissioner for executing the several Powers and Things herein enacted, in that Part of Great Britain called Scotland, shall, before his acting as Commissioner in the Execution of this Act, or any the Powers therein contained, take and subscribe the Oaths of Allegiance and Abjuration, and subscribe the Assurance appointed by Law, to be taken and subscribed by Persons in Offices of publick Trust in Scotland, upon Pain of forfeiting the Sum of Twenty Pounds Sterling; which Oaths it shall and may be lawful for any Two or more of the said Commissioners to administer, and they are hereby required to administer the same accordingly.

Commissioners in *Scotland* to take the Oaths, and subscribe the Assurance.

Provided nevertheless, That any Provost, Baillie, Dean of Guild, Treasurer, Master of the Merchants Company, or Deacon Convener of the Trades, for the time being, of any Royal Borough, and any Baillie for the time being of any Borough of Regality, or Barony, herein named or appointed a Commissioner for putting this Act in Execution in any County or Stewartry, shall be capable of acting as a Commissioner for such County or Stewartry; and that it shall not be lawful to or for the Court of Session, or any other Courts or Magistrates in Scotland, to grant,

Provost, &c. of any Royal Borough may act as a Commissioner.

by Suspension, or otherwise, any Stay or Stop to the bringing in of the said Supply, by Quartering, according to the Proportions settled and ascertained by the aforesaid Commissioners for the several Shires, and by the Royal Burghs, according to their Usage and Practice; any thing herein contained to the contrary notwithstanding.

Clause of Loan at 3*l. per Cent.*

Provided always, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, Natives and Foreigners, Bodies Politick or Corporate, to advance or lend to His Majesty, at the Receipt of His Majesty's Exchequer, any Sum or Sums of Money, not exceeding in the whole the Sum of One million upon the Credit of the said several Rates, Assessments, and Sums of Money by this Act granted, to be raised in the several Parts of Great Britain, as aforesaid; and such other Monies as are by this Act appointed for repaying the same, with the Interest thereof; and to have and receive for the Forbearance of the Money lent, Interest after a Rate not exceeding Three Pounds per Centum per Annum, so as such Loans be allowed to be made by the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, who are hereby authorized to issue the Warrants for that Purpose, as fast as such Loans shall be wanting for the publick Service: And moreover, that no Money so to be lent upon the Security of this Act, shall be rated or assessed by virtue of this Act, or any other Act of Parliament whatsoever.

Money lent on this Act not to be taxed.

Tallies of Loan to be struck, &c.

And be it further enacted, That all and every Person and Persons, who shall lend any Money upon the Credit of this Act, as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her, or their Repayment, bearing the same Date with his, her, or their Tally, in or upon which Order shall be also contained a Warrant for the Payment of Interest for the Forbearance thereof, at a Rate not exceeding the said Rate of Three Pounds per Centum per Annum, and to be paid every Three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money, so to be lent, shall be registered in Course, according to the Dates respectively; and that all and every Person and Persons shall be paid in Course, according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives

Orders registered and paid in Course.

or Foreigners, his, her, or their Executors, Administrators, or Assigns, who shall have his, her, or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the First Person or Persons to be paid out of the Monies to come in by virtue of this Act; and he, she, or they, who shall have his, her, or their Order or Orders next entered, shall be taken and accounted to be the Second Person to be paid, and so successively and in Course; and that the Monies to come in by virtue of this Act, of or for the said several Rates and Assessments, to be raised in Great Britain, as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Corporate, their Executors, Administrators, Successors, or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent, or Purpose whatsoever; and that no Fee, Reward, or Gratuity, directly or indirectly, shall be demanded or taken of any of His Majesty's Subjects, for moving or making any such Books or Registers, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Interest thereof, as aforesaid, by any of His Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party grieved, by the Party offending, with Full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also; and if any undue Preference of one before another shall be made, either in point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with Full Costs of Suit, to the Party grieved, and shall be forejudged of his Place or Office; and if such Preference shall be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages, and Costs, and shall for ever after be incapable of his Place or Office; and in case the Auditor of the Receipt shall not direct the said Order of Loan, or the Clerk of the Pells record, or the Tellers make Payment upon such Order, according to each Person's due Place and Order, as before directed; then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks, therein offending, to be liable to such Action, Debt, Damages, and Costs, in such Manner as aforesaid: All which said Penalties, Forfeitures,

No Fee for registering, &c.

Penalty for undue Preference.

feitures, Damages, and Costs, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction, or Order of Restraint, shall be in any wise granted or allowed.

No undue Preference, where Tallies are dated or brought the same Day.

Provided always, and it is hereby declared, That if it shall happen that several Tallies of Loan, or Orders for Payment, as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered, then it shall be interpreted no undue Preference, which of those be entered first, so as he enters them all the same Day.

Nor if subsequent Orders be paid before such as were not demanded in Course.

Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons who did not come to take their Monies, and bring their Orders in Course; so as there be so much Money reserved as will satisfy precedent Orders; which shall not otherwise be disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Orders assignable.

And be it further enacted, That all and every Person and Persons, to whom any Money shall be due for Loans to be registered by virtue of this Act, after Order entered in the Book of Register aforesaid, his, her, or their Executors, Administrators, or Assigns, by proper Words of Assignment to be indorsed and written on his, her, or their Order, may assign or transfer his, her, or their Right, Title, Interest, and Benefit of such Order, to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Register aforesaid, for Orders (which the Officers shall upon Request, without Fee or Charge, accordingly make) shall intitle such Assignee, his Executors, Administrators, Successors, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign again, and so toties quoties; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release, or discharge the same, or any the Monies thereby due, or any Part thereof.

And

And to the end there may be no Want or Failure of a certain Sum, not to exceed in the whole One Million, to be raised, either by such Loans as aforesaid, or by issuing Exchequer Bills, as is herein after-mentioned, or by both, or either of those Ways or Means, for the publick Service; be it further provided and enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall judge it more advisable to raise the said Sum of One Million, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorized and impowered at any Time or Times, at once, or by such Proportions at a Time, as they respectively shall find to be most for the Advantage of the Publick, to prepare and make, or cause to be prepared and made, at the Exchequer, in such Method and Form as they or he shall think most safe and convenient, any Number of new Exchequer Bills, containing one common Sum, or different Sums, in the principal Monies, so that in case there shall be no Loans made, then all the principal Sums to be contained in the said Bills to be made forth by this Act, shall not exceed One Million, and in case any such Loans shall be made as aforesaid, then all the principal Sums to be contained in the said Bills to be made forth by this Act, together with such Loans so made, shall not exceed the said Sum of One Million.

Commissioners impowered to prepare any Number of new Exchequer Bills, containing one common Sum, or different Sums, in the principal Monies.

And be it further enacted by the Authority aforesaid, That the said Bills to be prepared and made in pursuance of this Act, shall and may bear an Interest not exceeding the Rate of Three Pounds per Centum per Annum, and proportionably for any greater or less Sum to be contained therein, and to be payable to the Bearers thereof respectively; nevertheless the said Interest shall be abated and saved upon such of the said Bills to be made forth by this Act, as shall at any Time or Times be in the Receipt of the Exchequer, or in the Hands or Power of any Receivers or Collectors of any Taxes, Aids, or Revenues whatsoever, payable to his Majesty, his Heirs, or Successors, during such Time and Times respectively, as such Bills shall be or remain in the said Receipt, or in such Hands or Power as aforesaid.

Bills to bear Interest at 3 *l.* *per Cent. per Ann.*

And it is hereby enacted, That all the said Bills, so to be prepared and made, shall be numbered arithmetically, beginning

These Bills to be numbered arithmetically.

beginning with N° 1, and so proceeding in an arithmetical Progression ascending, wherein the common Excess or Difference shall always be One, and shall be registered accordingly; so that the principal Sum to be contained in every such Bill (after Repayment of the Loans which shall have been made, as aforesaid, if any such be, with the Interest thereof, or reserving Money sufficient for that Purpose) may regularly be paid off, and discharged in Course, according to the Number of every such Bill, as it shall stand in the said Register; and that the Interest upon all and every the same Bills shall be payable every Three Months, according to the Purport and true Meaning of this Act; and that upon every such Bill there shall be inserted, printed, or written, in Words at Length, or in Figures, the Sum; after which the Principal to be contained therein shall be payable in such Course, as aforesaid, according to the Purport and true Meaning of this Act.

Treasury to direct the Course of Payment for Loans or Exchequer Bills,

Provided always, and be it enacted by the Authority aforesaid, That in case the said Sum, not exceeding One Million shall be raised partly by Loans, and partly by Exchequer Bills, according to the Powers before given by this Act; that then, and in such Case, it shall and may be lawful to and for the Commissioners of His Majesty's Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, when and as often as they shall, by virtue of the said Powers, direct any such Loans to be taken, or any such Exchequer Bills to be made out, at the same Time also to direct and appoint the Course and Order in which such Loans or Exchequer Bills shall stand upon the said Register, and after what Sum they shall respectively begin to be payable in Course, out of the Monies arising by this Act, so as no subsequent Loans or Exchequer Bills be made to alter the Course at first appointed for prior Loans or Exchequer Bills, at the Time of taking in, or making out, such prior Loans or Exchequer Bills; any thing herein before contained to the contrary notwithstanding.

and to appoint Cheques, &c.

And it is hereby further enacted, That all the said Bills shall be prepared and made with such Cheques, Indents, or Counterfoils, as shall be directed by the Commissioners of the Treasury, or any Three or more of them now being, or by the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being; and that the Person or Persons, who shall be appointed to pay off the said Bills in Course, shall, from

time to time, have the Use and Custody of One Part of all the Cheques, Indents, or Counterfoils of the said Exchequer Bills, to be prepared and made by virtue of this Act, from which the said Bills shall have been cut, to prevent his or their being imposed upon by counterfeit or forged Bills; and that the Undertakers or Contractors for exchanging and circulating the said Bills, or such of them as shall be current, shall, from time to time, have the Use and Custody of One other Part of all the said Cheques, Indents, or Counterfoils of the said Exchequer Bills, from which the same shall have been cut off, as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged Bills; and that all the said Parts of the said Cheques, Indents, or Counterfoils, shall be delivered back into the Exchequer, when the said Bills to be made forth by virtue of this Act shall be paid off, cancelled, and discharged.

The Bills to be placed as Cash in the Exchequer.

And it is hereby enacted, That the said Commissioners of the Treasury, or any Three or more of them now being, and the said High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall, and they are hereby respectively authorized and impowered to cause such Bills as shall be prepared by virtue of this Act, to be placed as so much Cash in the respective Offices of the Tellers of the said Receipt of Exchequer, each and every of which Tellers shall be severally charged with the Proportion of the said Bills, which shall be so placed in his Office respectively; any Law or Usage to the contrary notwithstanding.

Clauses in the Malt Act, relating to Exchequer Bills, extended to this.

And be it further enacted by the Authority aforesaid, That all the said Bills, to be issued as aforesaid, shall be current in like Manner, and with such Privileges and Advantages, and subject to such Rules and Directions, as are prescribed and enacted by an Act of this present Session of Parliament, intituled, An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty three; and for enlarging the Time limited by an Act of the last Session of Parliament, for subscribing Annuities, after the Rate of Three Pounds *per Centum per Annum*, into the joint Stock of Annuities therein mentioned; for or concerning the Exchequer Bills thereby authorized to be made forth; and that all and every the Clauses and Provisoes in the said last-mentioned Act, relating to the Currency, exchanging, or receiving the same last-mentioned Exchequer Bills by any publick Receivers of Aids, Taxes, or Supplies, or in his Majesty's Receipt of the Exchequer, or for preventing

the

the forging, counterfeiting, or altering the same Bills; or for making out new Bills in the Room of such as shall be filled up with Indorsements, lost, burnt, defaced, or otherwise destroyed, or for making out Exchequer Bills of Five thousand Pounds each, or for making out Exchequer Bills without bearing Interest, or for making them afterwards to bear an Interest, or a higher or lower Rate of Interest, from time to time, as the Contractors shall agree to, or for preventing any Misapplication of the Fund on which the same are charged, or any other Misbehaviour of any Officers concerned in the receiving, issuing, exchanging, paying off, or cancelling the same last-mentioned Exchequer Bills, or for enabling the Commissioners of the Treasury, or the High Treasurer for the time being, to contract, from time to time, with any Person or Persons, Body or Bodies Politick or Corporate, for Payment of the Interest of, or exchanging for ready Money, on Demand, the Exchequer Bills thereby authorized to be issued, at a Rate or Premium, not exceeding Three Pounds per Centum per Annum, or for preventing any Disabilities in such Contractors, or for making them not liable to be Bankrupts on account of such Contracts, or for appointing a Paymaster or Paymasters for paying off or cancelling the same Exchequer Bills in due Course and Order, shall be extended, and construed to extend, as well to the Exchequer Bills by this Act authorized to be made forth, as to the Exchequer Bills to be made forth in pursuance of the said Act, for granting and continuing the Duties upon Malt, Rum, Cyder, and Perry, as amply, fully, and effectually, to all Intents and Purposes, as if the same Clauses or Provisoes had been particularly repeated and re-enacted verbatim in this Act.

Currency of the Bills.

And to the end the same Bills, or so many of them as shall, from time to time, remain undischarged, may the better obtain a Currency for such Time as they or any of them are hereby intended to be current; be it further enacted by the Authority aforesaid, That the Money which shall, from time to time, arise at the said Receipt of the Exchequer, of or for the Aids, Taxes, or Assessments, by this Act granted, shall, from time to time, as the same shall arise at the said Receipt, be issued and applied at the said Receipt for or towards the paying off and discharging the Orders of Loan, for the Monies which shall have been lent at the said Receipt, and for satisfying the Interest thereof, in such Course, Manner, and Form, as are before in this Act prescribed and appointed for that Purpose, until all the Principal and

Interest payable upon such Orders of Loan shall be fully satisfied, or sufficient Money shall be reserved in the Exchequer for the full Payment and Satisfaction of the same, or the Monies which shall, from time to time, arise at the said Receipt of Exchequer, of or for the said Aids, Taxes, or Assessments, by this Act granted, shall, from time to time, as the same shall arise at the said Receipt, be issued to such Paymaster, by way of Imprest and upon Account, for or towards paying off or discharging the said Exchequer Bills which shall have been made forth by virtue of this Act, in such Course as aforesaid, and for or towards the Charge of circulating and exchanging the same Bills, or any of them, and for or towards such other Payments as are in and by this Act directed or allowed to be made or discharged out of the same, and for no other Use, Intent, or Purpose whatsoever.

Treasury on 29 *Sept.* 1754, to take an Account of all Monies raised and discharged.

And be it further enacted by the Authority aforesaid, That on the Twenty ninth Day of September, One thousand seven hundred and fifty four, or within Ten Days after, the Commissioners of the Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, shall cause a true and perfect Account in Writing to be taken and attested by the proper Officers, of all the Monies which shall have been raised by Loans, or by Exchequer Bills, or by any or either of those Ways or Means, for or towards the said Sum, not exceeding One Million, by this Act intended to be raised, as aforesaid, and how much thereof shall before that Time have been paid off or discharged, and how much thereof shall then remain undischarged upon the said Orders of Loan and Exchequer Bills respectively, or upon any or either of them; which Account shall be publickly affixed in the Office of the Auditor of the Receipt in the said Exchequer.

Unsatisfied Monies to be paid out of the next Aid,

And it is hereby enacted and declared by the Authority aforesaid, That the Monies so remaining unsatisfied, or not discharged, with the Interest due or to grow due for the same, shall be paid and satisfied out of the next Aid or Aids to be granted in Parliament, after the said Twenty ninth Day of September, One thousand seven hundred and fifty four, and shall be transferred thereunto, as soon as such Aid or Aids shall be granted; and if no such Aid or Aids shall be granted, whereunto such unsatisfied Monies shall be transferred, before the Twenty fourth Day of March, One thousand seven

hundred and fifty four, then the Monies so remaining unsatisfied and undischarged upon the said Orders of Loan or Exchequer Bills, or any of them, with the Interest due or to grow due for the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times shall be or remain in the same Receipt, of the Surplusses, Excesses, or Overplus Monies, and other Revenues composing the Sinking Fund (except such Monies of the same Sinking Fund as are appropriated to any particular Use or Uses, by any former Act or Acts of Parliament, in that Behalf) and such Monies of the said Sinking Fund shall and may be issued for supplying Money to the said Paymaster, for discharging the said unsatisfied Orders of Loan or Exchequer Bills in course, as the said Commissioners of the Treasury, or the High Treasurer for the time being, shall direct, until all the Principal and Interest, which shall be or remain due upon the said Orders of Loan or Exchequer Bills, or any of them, shall be fully cleared and paid off, or Money sufficient shall be reserved for that Purpose; and if at any Time or Times before or after any Money of the said Aids, Taxes, or Assessments, hereby granted shall be brought into the Exchequer, as aforesaid, there shall happen to be a Want of Money for paying Interest, which shall be actually incurred and grown due upon the said Orders of Loan or Exchequer Bills, or any of them, or for Payment of any Premium or Rate, which shall be incurred and grown due by any Contract or Contracts to be made by virtue of this Act, for circulating and exchanging the same Bills; that then, and in every such Case, the Money so wanted shall and may be supplied out of the Monies of the said Fund, commonly called the Sinking Fund (except before excepted) and be issued accordingly.

or out of the Sinking Fund.

Monies issued out of the Sinking Fund, to be replaced out of the first Aids.

Provided always, and be it enacted by the Authority aforesaid, That whatsoever Monies shall be issued out of the said Surplusses, Excesses, or Overplus Monies, and other Revenues composing the Sinking Fund, shall, from time to time, be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

And whereas several Orders of Loan or Exchequer Bills made upon, and in pursuance of, an Act of Parliament of the Twenty fourth Year of His Majesty's Reign, intituled, An Act for granting an Aid to His Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty one, still remain unpaid, for want of sufficient Money

Money ariſing by the ſaid Act, being come into the Exchequer to anſwer and pay the ſame, and it is uncertain how much thereof the Monies ariſing by the ſaid Act will be able to anſwer and diſcharge; be it enacted by the Authority aforeſaid, That if the Money ariſen or to ariſe into the Exchequer for or on account of the ſaid Aid, on or before the Twenty ninth Day of September, which ſhall be in the Year of our Lord One thouſand ſeven hundred and fifty three, ſhall not be ſufficient to diſcharge the whole Principal and Intereſt due, or to grow due, on the ſeveral Orders of Loan or Exchequer Bills made upon and in purſuance of the ſaid Act; that then ſo much Money, as ſhall then appear to be deficient or wanting for anſwering the Purpoſes aforeſaid, ſhall and may be ſupplied and made good out of any the Monies ariſing into the Exchequer, by or from the Loans or Exchequer Bills on this Act, or any other Monies or Loans that are or ſhall be appropriated for the Service of the Year One thouſand ſeven hundred and fifty three; and the Commiſſioners of the Treaſury, or any Three or more of them, or the High Treaſurer for the time being, ſhall direct and apply the ſame accordingly; any thing herein before contained to the contrary notwithſtanding.

Deficiency of the Land Tax 24 *Geor.* II. how to be ſupplied.

FINIS.

Anno Regni

GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

VICESIMO SEXTO.

REGIS

GEORGII II.

Anno vicesimo sexto

Georgii II. Regis.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

WHEREAS the raising or keeping a Standing Army within this Kingdom in Time of Peace, unless it be with Consent of Parliament, is against Law: And whereas it is judged necessary by His Majesty and this present Parliament, that a Body of Forces should be continued for the Safety of this Kingdom, the Defence of the Possessions of the Crown of Great Britain, and the Preservation of the Balance of Power in Europe, and that the whole Number of such Forces should consist of Eighteen thousand eight hundred and fifty seven effective Men, including One thousand eight hundred and fifteen Invalids: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by martial Law, or in any other Manner, than by the Judgement of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite for the retaining such Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny, or stir up Sedition, or shall desert Hts Majesty's Service within this Realm, or the Kingdom of Ireland, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow; be it therefore enacted by the King's Preamble.

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of March, One thousand seven hundred and fifty three, if any Person being mustered, or in Pay as an Officer, or who is or shall be listed, or in Pay as a Soldier, and on the Twenty fourth Day of March, One thousand seven hundred and fifty three, shall remain in such Service, or shall, during the Continuance of this Act, herein after-mentioned, voluntarily enter himself in His Majesty's Service as a Soldier, shall at any Time during such Continuance of this Act, within the Realm of Great Britain, or in the Kingdom of Ireland, or in the Island of Minorca, or in His Majesty's Garrison at Gibraltar, or in any of His Majesty's Dominions beyond the Seas respectively, begin, excite, cause, or join in any Mutiny or Sedition, in the Company, Troop, or Regiment whereto he doth belong, or in any other Company, Troop, or Regiment in His Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny, or intended Mutiny, shall not without Delay give Information thereof to His Commanding Officer, or shall desert His Majesty's Service; or being a Soldier actually listed in any Regiment, Troop, or Company, shall list himself in any other Regiment, Troop, or Company, without a Discharge produced in Writing from the Colonel, or in his Absence, the Field Officer commanding in Chief the Regiment, Troop, or Company, in which he last served as a listed Soldier, or shall be found sleeping upon his Post, or shall leave it before releaved; or if any Officer or Soldier in His Majesty's Army shall, either upon Land, within or out of Great Britain, or upon the Sea, hold Correspondence with any Rebel, or Enemy of His Majesty, or give them Advice or Intelligence, either by Letters, Messuages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without His Majesty's Licence, or Licence of the General, Lieutenant General, or Chief Commander; or shall strike or use any Violence against his superior Officer, being in the Execution of His Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending in any of the Matters before-mentioned, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

After 24 *March* 1753, during the Continuance of this Act, every Officer or Soldier in the Army,

who shall mutiny, or desert, &c.

or list in any other Regiment, &c.

or correspond with the Enemy,

or shall strike, or not obey his superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

And be it further enacted by the Authority aforesaid, That His Majesty may, from time to time, grant a

Commission under His Royal Sign Manual, to any Officer, not under the Degree of a Field Officer, for the holding a General Court-martial within this Realm; and also grant His Warrant to the Lord Lieutenant of Ireland, or other Chief Governor or Governors there for the time being, or the Governor or Governors of Minorca, Gibraltar, and any of His Majesty's Dominions beyond the Seas respectively, or the Person or Persons there commanding in Chief, from time to time to appoint Courts-martial in the Kingdom of Ireland, and other Places and Dominions respectively; in which Courts-martial all the Offences above-mentioned, and all other Offences herein after specified, shall be tried and proceeded against in such Manner, as by this Act shall be hereafter directed.

The King may grant a Commission to hold a Court-martial, &c.

And be it also further enacted, That it shall and may be lawful to and for such Courts-martial, by their Sentence or Judgement, to inflict corporal Punishment, not extending to Life or Limb, on any Soldier for Immoralities, Misbehaviour, or Neglect of Duty.

Courts-martial may inflict corporal Punishment for Immoralities, &c.

And it is hereby further enacted and declared, That no General Court-martial, which shall have Power to sit by virtue of this Act, shall consist of a less Number than Thirteen, whereof none to be under the Degree of a Commission Officer; and the President of such General Court-martial shall neither be the Commander in Chief, or Governor of the Garrison where the Offender shall be tried, nor under the Degree of a Field Officer, unless where a Field Officer cannot be had; in which Case, the Officer next in Seniority to the Commander, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required, to administer an Oath to any Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

Not to consist of less than 13, and the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

May administer an Oath to Witnesses.

Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the holy Evangelists, before the Court, and Judge Advocate, or his Deputy (who are hereby authorized to administer the same) in these Words; that is to say,

Officers to be sworn.

YOU shall well and truly try and determine according to your Evidence in the Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner to be tried:

The Oath.

So help you God.

D o I *A. B.*

The Oath.

I *A. B.* do ſwear, That I will duly adminiſter Juſtice according to the Rules and Articles for the better Government of His Majeſty's Forces, and according to an Act of Parliament now in Force for the Puniſhment of Mutiny and Deſertion, and other Crimes therein mentioned, without Partiality, Favour, or Affection; and if any Doubt ſhall ariſe which is not explained by the ſaid Articles or Act of Parliament, according to my Conſcience, the beſt of my Underſtanding, and the Cuſtom of War in the like Caſes. And I further ſwear, That I will not divulge the Sentence of the Court until it ſhall be approved by His Majeſty, the General, or Commander in Chief; neither will I upon any Account at any Time whatſoever diſcloſe or diſcover the Vote or Opinion of any particular Member of the Court-martial, unleſs required to give Evidence thereof as a Witneſs, by a Court of Juſtice in a due Courſe of Law:

So help me God.

The Judge Advocate to be ſworn.

And ſo ſoon as the ſaid Oaths ſhall have been adminiſtered to the reſpective Members, the Preſident of the Court is hereby authorized and required to adminiſter to the Judge Advocate, or the Perſon officiating as ſuch, an Oath in the following Words:

The Oath.

I *A. B.* do ſwear, That I will not upon any Account at any Time whatſoever, diſcloſe or diſcover the Vote or Opinion of any particular Member of the Court-martial, unleſs required to give Evidence thereof, as a Witneſs, by a Court of Juſtice in a due Courſe of Law.

So help me God.

Nine Officers to concur, &c.

And no Sentence of Death ſhall be given againſt any Offender in ſuch Caſe by any General Court-martial, unleſs Nine Officers preſent ſhall concur therein; and if there be more Officers preſent than Thirteen, then the Judgement ſhall paſs by the Concurrence of Two Thirds of the Officers preſent; and no Proceeding or Trial ſhall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning, and Three in the Afternoon, except in Caſes which require an immediate Example.

Hours of Trial.

The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court-martial.

Provided always, That the Party tried by any General Court-martial in the Kingdom of Great Britain, or Ireland, **ſhall be intitled to a Copy of the Sentence and Proceedings of ſuch Court-martial, upon Demand thereof made by himſelf, or by any other Perſon or Perſons on his**

his Behalf (he or they paying reasonably for the same) at any Time not sooner than Three Months, after such Sentence: And in the Case of Trials by any General Court-martial at Gibraltar or Minorca, at any Time not sooner than Six Months, after the Sentence given by such Court-martial; and in the Case of Trials by any General Court-martial in His Majesty's other Dominions beyond the Seas, at any Time not sooner than Twelve Months, after the Sentence given by such Court-martial, whether such Sentences be approved or not; any thing in this Act to the contrary notwithstanding.

Original Proceedings, &c. of Courts-martial to be transmitted to the Judge Advocate General in *London*, &c.

Provided also, and be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court-martial, do and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the Original Proceedings and Sentence of such Court-martial to the Judge Advocate General in London, which said Original Proceedings and Sentence shall be carefully kept and preserved in the Office of such Judge Advocate General, to the end that the Persons intitled thereto may be enabled upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

None to be tried a second Time for the same Offence, except in Cases of Appeals.

Provided always, and be it hereby declared and enacted, That no Officer or Soldier being acquitted or convicted of any Offence, be liable to be tried a second Time by the same or any other Court-martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court-martial, and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once.

This Act not to exempt Soldiers from ordinary Process; or extend to the Militia.

Provided always, That nothing in this Act contained shall extend, or be construed to exempt any Officer or Soldier whatsoever, from being proceeded against by the ordinary Course of Law; or be any ways construed to extend to concern any of the Militia Forces of this Kingdom, or of the Kingdom of Ireland.

Penalty on false Certificates to excuse Soldiers from Musters.

And for preventing of Fraud and Deceit in the mustering of Soldiers, be it further enacted by the Authority aforesaid, That if any Person shall make or give, or procure to be made or given, any false or untrue Certificates, whereby to excuse any Soldier for his Absence from any Muster, or any other Service which he ought to attend or perform, upon Pretence of being employed on some other Duty of the Regiment, or of Sickness, being in Prison, or on Furlough; that then every such Person, so making, giving, or procuring such Certificate, shall for every such Offence

Offence forfeit the Sum of Fifty Pounds, and shall be forthwith cashiered and displaced from his Office, and shall be thereby utterly disabled to have or hold any Military Office or Employment within this Realm, or in His Majesty's Service; and no Certificate shall excuse the Absence of any Soldier, but for the Reasons above-mentioned, or one of them; and the Commissary of the Musters is hereby directed to set down on the Roll, at the Time of the taking of the Muster, the Reason of the Absence of such Soldier respectively, and by whom certified; and not to set down any such Excuse, without View of such Certificate.

The Reason of the Absence of Soldiers to be set down on the Roll.

And be it further enacted by the Authority aforesaid, That every Officer that shall make any false or untrue Muster of Man or Horse, and every Commissary, Muster-master, or other Officer who shall wittingly or willingly allow or sign the Muster-roll, wherein such false Muster is contained, or any Duplicate thereof; and also every Commissary, Muster-master, or other Officer, who shall directly or indirectly take, or cause to be taken, any Sum or Sums of Money, or any other Gratuity, on or for the mustering any Regiment, Troop, or Company, or on or for the signing of any Muster-rolls, or any Duplicate thereof, upon Proof thereof upon Oath made by Two Witnesses before a General Court-martial, to be thereupon called (which is hereby authorized and required to administer such Oath) shall, for such Offence, be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service.

Penalty on Officers making false Musters, &c.

And whereas His Majesty hath been graciously pleased, in Compassion to the distressed Condition of several Widows of Officers of the Army, who have lost their Lives in the Service of the late War, or during the late Rebellion, by Orders made under his Royal Sign Manual, to direct his Commissary General of the Musters to allow upon the Muster-rolls of all the Regiments, Troops, and Companies, a Number of fictitious Names therein mentioned, instead of private Men, in order to raise and settle a Fund for the Maintenance of such Widows of Officers, as are or shall be intitled to his Royal Bounty: And whereas His Majesty has been graciously pleased, under His Royal Sign Manual, to give the like Directions to his Commissary General of the Marines, and has appointed a Receiver for the Purposes aforesaid, and directed the Paymaster General, and the Paymaster of the Marines, by like Orders under his Sign Manual, to pay over the full Pay of such fictitious private Men to such Receiver, to be distributed

Fictitious Names allowed by His Majesty's Order upon the Muster-rolls, for the Maintenance of Officers Widows, not to be construed a false Muster.

stributed to such Widows, according to His Instructions in that Behalf; be it further enacted and declared by the Authority aforesaid, That no Allowance of any such fictitious Name upon any Muster-roll shall be construed to be a false Muster; any thing in this or any former Act contained to the contrary notwithstanding.

Muster-master to give Notice of Muster to Mayor, &c.

And be it further enacted by the Authority aforesaid, That every Commissary or Muster-master, upon any Muster to be made, had, or taken by him or them, shall, by a convenient Time before such Muster made, give Notice to the Mayor, or other Chief Magistrate, or Officer of the Place, where the said Soldiers so to be mustered shall be quartered; who is hereby required to be present at every such Muster, and give his utmost Assistance for the discovering any false or untrue Muster there made, or offered to be made; and that every such Commissary or Muster-master, making or taking such Muster, that shall neglect to give such Notice as aforesaid, or shall refuse to take the Aid and Assistance of such Mayor, Chief Magistrate, or Officer, where the Soldiers to be mustered shall be quartered, shall forfeit the Sum of Fifty Pounds, and shall be discharged from his Office; and no Muster-roll shall be allowed, unless the same be signed by the said Mayor, or other Chief Magistrate, or Officer respectively: But in case such Mayor, Chief Magistrate, or Officer, shall not, upon due Notice given, attend such Muster, or shall refuse to sign such Muster-roll, without giving good and sufficient Reasons for such his Refusal; that then the Commissary may proceed to muster such Regiment, Troop, or Company, without incurring the said Penalty; and such Muster-roll shall be allowed, though not signed as aforesaid; provided that Oath be made before any of His Majesty's Justices of the Peace, within Forty eight Hours after such Muster; and the said Muster-roll shall then be produced, and examined by the said Justice of the Peace, who is hereby required to sign the same, if there shall appear to be no good or sufficient Objection to the same.

Penalty on Muster-master neglecting so to do.

Muster-rolls to be signed by the Mayor, &c.

Penalty on Officers making false Musters, &c.

And be it further enacted by the Authority aforesaid, That if any Person shall be falsly mustered, or offer himself falsly or deceitfully to be mustered, upon Proof thereof made upon Oath, by Two Witnesses, before the next Justice of the Peace for the County where such Muster shall be made, and upon Certificate thereof in Writing, under the Hand of the Commissary of the Musters, or Chief Magistrate as aforesaid, made to such Justice of the Peace, the said Justice is hereby authorized and required to commit such Offender to the House of Correc-

tion, there to remain for the Space of Ten Days; and if any Persons shall wittingly or willingly lend or furnish any Horse to be mustered, which shall not truly belong to the Trooper or Troop so mustered; the said Horse so falsly mustered shall be forfeited to the Informer, if the same doth belong to the Person lending or furnishing the said Horse; or otherwise, the Person lending or furnishing the said Horse shall forfeit the Sum of Twenty Pounds, upon Oath made by Two Witnesses before the next Justice of the Peace; which Twenty Pounds shall be levied by Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattles of the Person so offending, rendering the Overplus, if any be, to the Owner; and in case such Offender shall not have sufficient Goods and Chattles, whereon Distress may be made, to the Value of the Penalty to be recovered against him, or shall not pay such Penalty within Four Days after such Conviction, then, and in such Case, such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publickly Whipt, at the Discretion of such Justice; and the said Forfeiture shall be to such Person or Persons that shall give Information thereof; and the said Informer or Informers, if belonging to the Service, shall have a Right to be discharged forthwith, if he or they shall demand the same.

Horses falsly mustered, to be forfeited, &c.

Forfeiture how to be levied.

And be it further enacted by the Authority aforesaid, That every Commission Officer, Store-keeper, or Commissary, that shall embezzil or misapply, or cause to be embezzilled or misapplied, or shall wilfully, or through Neglect, suffer any Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores, to be spoiled or damaged, upon Proof thereof, upon Oath, made by Two Witnesses, before a General Court-martial (which is hereby authorized and required to administer such Oath) shall be forthwith dismissed His Majesty's Service, and forfeit the Sum of One hundred Pounds, and is hereby required to make good, at his own Expence, the Loss and Damage thereby sustained, to be ascertained by such Court-martial, which shall have Power to seize the Goods and Chattles of the Person so offending, and sell them for the Payment of the said One hundred Pounds, and such Damage; and if sufficient Goods and Chattles cannot be found and seized, then the Person so offending shall be committed to Prison, or the Common Gaol, to remain there for Six Months without Bail or Mainprize, and until he shall pay such Deficiency; and after the said Sum shall be recovered

Officers embezzilling, &c. Military Stores,

to be cashiered, and forfeit 100 *l.* and the Damage to be made good, by Sale of his Goods and Chattles;

for want of Distress the Person to be committed.

and levied, the same shall be applied and disposed of, as His Majesty shall direct and appoint. Application of the Forfeiture.

And be it further enacted by the Authority aforesaid, That every Commissary of the Musters, or Muster-master, either of the Land Forces or Marines, making or taking a Muster, do make Oath before the Mayor or Chief Magistrate attending the making or taking such Muster as aforesaid, if such Mayor or Chief Magistrate so attending be a Justice of the Peace, or otherwise before some other Justice of the Peace for the County where such Muster shall be taken (who is hereby authorized and required to administer the same without Fee or Reward) in Manner and Form following: Commissary, &c. taking a Muster, to make Oath.

I *A. B.* do swear, That I saw at the Time of making the within Muster, such Men or Horses as are borne, and not respited, on the Muster-roll, for which Men or Horses a signed Certificate or Certificates are not indorsed on the Back of the Roll, certifying their being absent from the Muster by reason of being employed on some other Duty of the Regiment, or by being sick, in Prison, on Furlough, or at Grass, or by a signed Leave from the Colonel or Field Officer, or Officer commanding the Regiment, Troop, or Company. The Oath.

Which Oath the said Commissary or Muster-master is hereby directed to insert and subscribe on the Back of the Muster-roll by him transmitted into the Office of the Commissary General of the Musters.

And whereas a Doubt has arisen, whether the Oath directed to be inserted and indorsed on the Back of the Muster-roll (by the Act passed in the Twentieth Year of His present Majesty's Reign, For punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters) should not only be indorsed and subscribed on the Back of those Muster-rolls which are to remain with the respective Muster-masters General of His Majesty's Land Forces and Marines, but also on the Back of those Muster-rolls which are transmitted to the respective Paymasters of the said Land Forces and Marines, and by them returned into the Office of the Auditors of the Imprest; to obviate which Doubt, be it enacted and declared by the Authority aforesaid, That all such Muster-rolls as have been, or shall be, from time to time, transmitted to the said Paymasters General, and by them returned into the Office of the Auditors of the Imprest since the passing the said Act, shall be deemed good and sufficient Vouchers to the said Auditors of the Imprest, although the before-mentioned Oath be not inserted Muster-rolls transmitted without the Oath indorsed to the Paymasters General, to be good Vouchers to the Auditor.

ed and indorsed on the Back of such Muster-rolls; any thing in the said Act contained to the contrary in any wise notwithstanding.

Penalty on the Agent, &c. detaining Officer's or Soldier's Pay.

And be it further enacted, That if any Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company, shall wilfully detain or withhold, by the Space of One Month, the Pay of any Officer or Soldier (Clothes, and all other just Allowances, being deducted) after such Pay shall be by him or them received; or if any Officers, having received their Soldiers Pay, shall refuse to pay each respective Non-commission Officer and Soldier their respective Pay, when it shall become due, at the Rate of Seventeen Shillings and Six Pence per Week for each Corporal of Light Horse; Fourteen Shillings per Week for each Trumpeter and private Trooper; Nine Shillings and Eleven Pence per Week for each Dragoon; Nine Shillings and Four Pence per Week for each Serjeant; Six Shillings and Two Pence per Week for each Corporal; Five Shillings per Week for each Drummer; Four Shillings per Week for each private Soldier of His Majesty's Three Regiments of Foot Guards; and Six Shillings per Week to each Serjeant; Four Shillings and Six Pence per Week to each Corporal and Drummer; and Three Shillings per Week to each Foot Soldier of any other Regiment or Independent Company; and at the End of every Two Months to account for One Shilling per Week to each Serjeant, and Two Pence per Week to each Corporal and Drummer, and Six Pence per Week to each Foot Soldier; the said One Shilling per Week, Two Pence per Week, and Six Pence per Week, being the Remainder of the Subsistence of each Serjeant, Corporal, Drummer, and Foot Soldier; then, upon Proof thereof before a Court-martial as aforesaid, to be for that Purpose held and summoned by His Majesty's Order, every such Paymaster, Agent, Clerk, or Officer so offending, shall be discharged from his Employment, and shall forfeit to the Informer, upon Conviction before the said Court, One hundred Pounds, to be levied as aforesaid; and the Informer if a Soldier (if he demands it) shall be and is hereby discharged from any further Service; any thing in this Act contained to the contrary notwithstanding; and the Commanding Officers of the Three Regiments of Foot Guards are hereby impowered, if they judge it necessary for the Good of the Service, to make the same Stoppages of One Shilling per Week from each Serjeant, Two Pence per Week from each Corporal and Drummer, and Six Pence per Week from each Foot Soldier; and at the End of every Two Months to account for the said One Shilling

Weekly Rates.

Shilling per Week to each Serjeant, and Two Pence per Week to each Corporal and Drummer, and Six Pence per Week to each Foot Soldier, in the same Manner as is hereby directed for the Marching Regiments.

And for the better Execution hereof, and that a true and regular Account may be kept and rendered by the Agents of the several Regiments, and Independant Troops and Companies, the said Agents are hereby required and directed to observe such Orders and Directions as shall, from time to time, be given by His Majesty, under His Sign Manual, or by the Lord Treasurer, or Commissioners of the Treasury for the time being; and if any Agent shall refuse or neglect to observe and comply with such Orders and Directions, he shall be discharged from his Office, and be utterly disabled to have or hold any such Office in His Majesty's Service. Penalty on Agents disobeying of Orders.

And it is hereby enacted, That the Surgeon, or his Mate, shall, within the Cities of London and Westminster, and Ten Miles of the same, certify upon Oath to the Muster-master, that he hath actually seen such Person as he certifies to be sick; and such Commanding Officer shall also certify the Names of such others, as shall be employed in raising Recruits; and if such Certificate shall prove false, upon Conviction thereof before a Court-martial, the Officer signing such Certificate shall suffer such Penalties, and in such Manner, as is declared and inflicted by this Act upon those who shall make false Musters; and the Commissary of the Musters is hereby directed to insert in the Docket annexed to the Muster-roll, the Place where, and the precise Day when, every Muster-roll is taken. Surgeon, &c. within 10 Miles of *London*, &c. to certify who are sick; and Commanding Officers, who are employed in raising Recruits.

And it is enacted, That if any Officer or Commissary shall muster any Person by a wrong Name knowingly, upon Conviction thereof before a General Court-martial, the said Officer or Commissary shall suffer such Penalties, and in such Manner, as is declared and inflicted by this Act upon those who shall make false Musters. Penalty on Officer mustering Persons by wrong Names.

And whereas by the Petition of Right, in the Third Year of King Charles the First, it is enacted and declared, That the People of this Land are not by the Laws to be burthened with the Sojourning of Soldiers against their Wills; and by a Clause in an Act of Parliament made in the One and thirtieth Year of the Reign of King Charles the Second, for granting a Supply to his Majesty of Two hundred and six thousand four hundred sixty two Pounds, Seventeen Shillings, and Three Pence, for paying and disbanding the Forces, it is declared and enacted, That no Officer, Civil or Military, nor other Person whatsoever,

ever, should, from thencesorth, presume to place, quarter, or billet, any Soldier or Soldiers upon any Subject or Inhabitant of this Realm, of any Degree, Quality, or Profession whatsoever, without his Consent; and that it shall and may be lawful for any Subject, Sojourner, or Inhabitant, to refuse to quarter any Soldier or Soldiers, notwithstanding any Demand, or Warrant, or Billeting whatsoever: But forasmuch as at this Time, and during the Continuance of this Act, there is and may be Occasion for the marching and quartering of Regiments, Troops, and Companies, in several Parts of this Kingdom; be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer, it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns, and Villages, and other Places, within England, Wales, and the Town of Berwick upon Tweed; and in their Default or Absence, for any One Justice of the Peace, inhabiting in or near any such City, Town, Village, or Place, and for no others; and such Constables, and other Civil Magistrates as aforesaid, are hereby required to quarter and billet the Officers and Soldiers in His Majesty's Service, in Inns, Livery Stables, Ale-houses, Victualling-houses, and all Houses of Persons selling Brandy, Strong Waters, Cyder, or Metheglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandizes, than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses) and in no other, and in no private Houses whatsoever; nor shall any more Billets, at any Time be ordered, than there are effective Soldiers present to be quartered; and if any Constable, Tythingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Soldier in any such private House, without the Consent of the Owner or Occupier; in such Case, such Owner or Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Owner or Occupier shall sustain thereby; and if any Military Officer shall take upon him to quarter Soldiers otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to or upon any Mayors, Constables, or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby

Constables, &c. to quarter Soldiers in Inns, Ale-houses, &c.

But in no Distillers Houses, or Shopkeepers, or in any private Houses.

Penalty on Constables, &c. quartering Soldiers in private Houses, &c.

Penalty on Officers quartering Soldiers otherwise than by this Act.

required or appointed; ſuch Military Officer ſhall, for every ſuch Offence (being thereof convicted before any Two or more of the next Juſtices of the Peace of the County, by the Oath of Two credible Witneſſes) be deemed and taken to be ipſo facto caſhiered, and ſhall be utterly diſabled to have or hold any Military Employment within this Kingdom, or in his Majeſty's Service; provided the ſaid Conviction be affirmed at the next Quarter Seſſions of the Peace of the ſaid County, and a Certificate thereof be tranſmitted to the Judge Advocate, who is hereby obliged to certify the ſame to the next Court-martial; and in caſe any Perſon ſhall find himſelf aggrieved, in that ſuch Conſtable, Tythingman, or Headborough, Chief Officer, or Magiſtrate (ſuch Chief Officer or Magiſtrate not being a Juſtice of the Peace) has quartered or billeted in his Houſe a greater Number of Soldiers than he ought to bear in Proportion to his Neighbours; and ſhall complain thereof to One or more Juſtice or Juſtices of the Peace of the Diviſion, City, or Liberty, where ſuch Soldiers are quartered; or in caſe ſuch Chief Officer or Magiſtrate ſhall be a Juſtice of the Peace, then on Complaint made to Two or more Juſtices of the Peace of ſuch Diviſion, City, or Liberty; ſuch Juſtices reſpectively ſhall have, and have hereby Power to relieve ſuch Perſon, by ordering ſuch and ſo many of the Soldiers to be removed, and quartered upon ſuch other Perſon or Perſons, as they ſhall ſee Cauſe; and ſuch other Perſon or Perſons ſhall be obliged to receive ſuch Soldiers accordingly.

Perſons aggrieved may complain to the Juſtices, and be relieved.

Provided alſo, and be it further enacted, That no Juſtice or Juſtices of the Peace, having or executing any Military Office or Commiſſion in that Part of Great Britain called England, ſhall or may, during the Continuance of this Act, directly or indirectly be concerned in the quartering, billeting, or appointing any Quarters for any Soldier or Soldiers in the Regiment, Troop, or Company, under the immediate Command or Commands of ſuch Juſtice or Juſtices, according to the Diſpoſition made for quartering of any Soldier or Soldiers by virtue of this Act; but that all Warrants, Acts, Matters, or Things, executed or appointed by ſuch Juſtice or Juſtices of the Peace, for or concerning the ſame, ſhall be void; any thing in this Act contained to the contrary notwithſtanding.

No Juſtice, having any Military Office, to be concerned in billeting his Soldiers.

Provided nevertheleſs, and it is hereby enacted, That the Officers and Soldiers ſo quartered and billeted as aforeſaid, ſhall be received and furniſhed with Diet and Small Beer by the Owners of the Inns, Livery Stables, Ale-houſes, Victualling-houſes, and other Houſes in which they are allowed to be quartered and billeted by this Act; paying

Officers and Soldiers to pay Rates for their Proviſions.

paying and allowing for the same the several Rates hereinafter-mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

What Innholders may allow Soldiers quarter'd on them, instead of Meat,

Provided always, That in case any Innholder or other Person on whom any Non-commission Officers or Soldiers shall be quartered by virtue of this Act (except on a March, or employed in recruiting; and likewise except the Recruits by them raised, for the Space of Seven Days at most, for such Non-commission Officers and Soldiers who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or Soldiers with Candles, Vinegar, and Salt, and with either Small Beer or Cyder, not exceeding Five Pints for each Man per Diem, gratis, and allow to such Non-commission Officers or Soldiers the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then, and in such Case, the Non-commission Officers and Soldiers so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or that does actually receive the Pay and Subsistence of such Non-commission Officers and Soldiers, shall pay the several Sums herein aftermentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and Soldiers aforesaid, and not to the Innholder, or other Person, on whom such Non-commission Officers and Soldiers are quartered; any thing herein contained to the contrary notwithstanding.

but at their own Expence.

Penalty on Officers taking Money, &c.

Provided always, and be it enacted by the Authority aforesaid, That if any Officer shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the Quartering of Officers or Soldiers, or any of them, in any House allowed by this Act; every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

And whereas great Inconveniencies have arisen, and may arise, in such Places where Horse or Dragoons are or may be quartered, by the billeting of the Men and their Horses at different Houses, and often at great Distances from one another, contrary to the true Intent and Meaning of this Act; be it therefore enacted by the Authority aforesaid, That in all Places where Horse or Dragoons shall be quartered, or billeted in pursuance of this Act, for the future the Men and their Horses shall be billeted in one and the same Houses (except in case of Necessity) and that in no other Case whatsoever there be less than One Man billeted where there shall be One or Two Horses, nor less than

Dragoons, &c. and their Horses, to be billeted in the same House.

than Two Men where there shall be four Horses, and so in Proportion for a greater Number; and in such Case each Man shall be billeted as near his House as possible.

Manner of changing Men and Horses.

And whereas some Doubts have arisen, whether Commanding Officers of any Regiment, Troop, or Company, may exchange any Men or Horses quartered in any Town or Place, with another Man or Horse quartered in the same Place, for the Benefit of the Service; be it declared and enacted by the Authority aforesaid, That such Exchange as above-mentioned may be made by such Commanding Officers respectively; provided the Number of Men, or Horses, do not exceed the Number at that Time billeted on such House or Houses; and the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns, and Villages, or other Places, where any Regiment, Troop, or Company shall be quartered, are hereby required to billet such Men and Horses so exchanged accordingly.

Clause relating to a Soldier's Settlement for his Wife and Children.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Two or more Justices of the Peace for the County, Town, or Place, where any Non-commission Officer or Soldier shall be quartered, in case such Non-commission Officer or private Soldier have either Wife or Child, or Children, to cause such Non-commission Officer or Soldier to be summoned before them, in the Town or Place where such Non-commission Officer or Soldier shall be quartered, in order to make Oath of the Place of their last legal Settlement; (which Oath the said Justices are hereby impowered to administer) and such Non-commission Officers and private Soldiers as aforesaid, are hereby directed to obey such Summons, and to make Oath accordingly; and such Justices are hereby required to give an attested Copy of such Affidavit so made before them, to the Person making the same, to be by him delivered to his Commanding Officer, in order to be produced when required: Provided always, That in case any Non-commission Officer or private Soldier shall be again summoned to make Oath as aforesaid, then on such attested Copy of the Oath by him formerly taken, being produced by him, or by any other Person on his Behalf, such Non-commission Officer or Soldier shall not be be obliged to take any other or further Oath, with regard to his legal Settlement, but shall leave a Copy of such attested Copy of Examination, if required.

Officers, &c. to be quartered in *Scotland*, as by the Laws in *Scotland* in Force at the Union.

And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and Soldiers in Scotland, in such and the like Places and Houses as they

might have been quartered in, by the Laws in Force in Scotland, at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Officers and Soldiers quartered there, as by the said Laws in Force at the Time of the Union, was provided; and that no Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of Edinburgh.

No Paymaster, &c. to make Deductions out of Officers or Soldiers Pay.

And be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of March, One thousand seven hundred and fifty three, no Paymaster General, or Paymaster of the Army, Paymaster of the Marines, Secretary at War, Commissary, or Muster-master, or any other Officer whatsoever, or their Under Officers, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Officer or Soldier in His Majesty's Army, or from their Agents, which shall grow due from and after the said Twenty fourth Day of March, One thousand seven hundred and fifty three, other than the usual Deductions for Clothing, and Twelve Pence in the Pound, to be disposed of as His Majesty shall think fit, and the One Day's Pay in the Year for the Use of the Royal Hospital at Chelsea, and such other necessary Deductions as shall from time to time be directed by His Majesty under His Royal Sign Manual.

Exceptions.

Treasury may issue out the Money due for Clothing, every 2 Months.

And for the Encouragement of the due and well Clothing of the Troops, be it hereby further enacted, That the Lord High Treasurer, or the Commissioners of the Treasury for the time being, may, if he or they see convenient, at the End of every Two Months, issue the Money due for the Clothing to the several Regiments, Troops, and Companies, notwithstanding the Muster-rolls have not been duly returned: And the respective Paymasters are hereby directed to make Deductions of all Off-reckonings, and to pay the same to such Person or Persons only as have a regular Assignment for Clothes by him or them delivered to the said Regiment, Troop, or Company; and the Receipt of such Person or Persons, having or being lawfully intitled to such Assignment, to be from time to time taken for the same: And when no such Assignment appears, the Off-reckonings to remain in the Hands of the said Paymaster respectively, for the Use of the Regiment, Troop, or Company, until a new Contract for Clothing and Assigment is made.

Paymasters to deduct the Off-reckonings.

Officers to give Notice to Innkeepers of Subsistence-money in their Hands.

And that the Quarters both of Officers and Soldiers in Great Britain may hereafter be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted by the Authority aforesaid, That from and after

after the said Twenty fourth Day of March, One thousand seven hundred and fifty three, every Officer to whom it belongs to receive, or that does actually receive the Pay or Subsistence-money, either for a whole Regiment, or particular Troops and Companies, or otherwise, shall immediately, upon each Receipt of every particular Sum, which shall, from time to time, be paid, returned, or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or Soldiers are quartered by virtue of this Act; and shall also appoint the said Innkeepers, and others, to repair to their Quarters at such Times as they shall appoint, for the Distribution and Payment of the said Pay or Subsistence-money to the Officers or Soldiers, which shall be within Four Days at the farthest after the Receipt of the same, as aforesaid: And the said Innkeepers, and others, shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and Soldiers, so quartered in their respective Houses; which Accounts the said Officer or Officers are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Soldiers: Provided the said Accounts exceeed not, for a Commission Officer of Horse, being under the Degree of a Captain, for such Officer's Diet and Small Beer, per Diem, Two Shillings; nor for One Commission Officer of Dragoons, being under the Degree of a Captain, for such Officer's Diet and Small Beer, per Diem, One Shilling; nor for One Commission Officer of Foot, under the Degree of a Captain, for such Officer's Diet and Small Beer, per Diem, One Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, per Diem, Six Pence; nor for One Light Horseman's Diet and Small Beer, per Diem, Six Pence, and Hay and Straw for his Horse, per Diem, Six Pence; nor for One Dragoon's Diet and Small Beer, per Diem, Six Pence, and Hay and Straw for his Horse, per Diem, Six Pence; nor for One Foot-soldier's Diet and Small Beer, per Diem, Four Pence: And if any Officer or Officers, as aforesaid, shall not give Notice, as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content, and pay the same; upon Complaint and Oath made thereof by any Two Witnesses, at the next Quarter Sessions, for the County or City, where such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized

Rates of Subsistence to be paid to Innkeepers, &c. for Soldiers Quarters.

Penalty on Officers not paying Subsistence-money.

authorized and required to administer) the Paymaster or Paymasters of His Majesty's Guards and Garrisons, and Marines, are hereby required and authorized (upon Certificate of the said Justices, before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Officer or Officers, upon Penalty that such Paymaster or Paymasters shall forfeit their respective Place or Places of Paymaster or Paymasters, and be discharged from holding the same for the future. And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Paymasters are hereby authorized and required to deduct the Sums he or they shall pay, pursuant to the Certificate of the said Justices, out of the next Pay and Subsistence-money of the Regiment, to which such Officer or Officers shall belong; and such Officer or Officers shall, for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money, as aforesaid, be deemed and taken, and are hereby declared ipso facto cashiered. And where it shall happen that the Subsistence-money due to any Officer or Soldier shall, by Occasion of any Accident, not be paid to such Officer or Soldier, or such Officer or Soldier shall neglect to pay the same, so that Quarters cannot be, or are not paid, as this Act directs; and where any Horse, Foot, or Dragoons, shall be upon their March, so that no Subsistence can then be remitted to them, to make Payment as this Act directs, or they shall neglect to pay the same; in every such Case, it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Regiment, Troop, or Company shall remain for any Time whatsoever, make up the Accounts, as this Act directs, with every Person, with whom such Regiment, Troop, or Company shall have quartered, and sign a Certificate thereof, and give the said Certificate so by him signed, to the Party to whom such Money is due, with the Name of such Regiment, Troop, or Company, to which he or they shall belong; to the end the said Certificate may be forthwith transmitted to the Paymaster of His Majesty's Guards and Garrisons, or to the Paymaster of the Marines, who are hereby required immediately to make Payment thereof to the Person or Persons to whom such Monies shall be due, to the end the same may be applied to such Regiment, Troop, or Company, respectively, under Pain as is before in this Act directed for Nonpayment of Quarters.

On Nonpayment of Quarters, the Officer to make up Accounts, &c.

No Muster in *Westminster*, &c. but in the Presence of Justices.

And be it further enacted, That no Commissary shall muster any Regiment, Troop, or Company, within the City of Westminster, and Borough of Southwark, and Liberties thereof, but in the Presence of Two or more Justices of the Peace, not being Officers of the Army, under the before-mentioned Penalty; unless such Justices, upon Forty eight Hours Notice given to Six of His Majesty's Justices of the Peace, residing within the City and Liberties aforesaid respectively, shall neglect to attend such Muster; and in case of such Neglect, such Commissary may proceed to muster such Regiment, Troop, or Company: Provided that Oath be made before any of His Majesty's Justices of the Peace, within Forty eight Hours after such Muster taken, that such Notice was given to Six Justices of the Peace as aforesaid: Which Justices so attending, are hereby impowered to sign the said Muster-rolls, and to take Cognizance of such Muster, and to examine the Truth thereof, before they sign the same.

Constables, &c. may billet Soldiers in *Westminster*, &c.

And be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the High Constables, Petty Constables, Headboroughs, and Tythingmen, within the said City and Liberties of Westminster, and Places adjacent, when thereunto lawfully required, to billet and quarter the Officers and Soldiers of His Majesty's said Regiments of Foot Guards, in such Houses only, as by this Act are limited, in and about the said City and Liberties of Westminster, and Places adjacent (except the City of London) during the Continuance of this Act.

Petty Constables, &c. to quarter Soldiers in their respective Divisions.

And when any Order shall issue for the quartering or billeting any Officers or Soldiers within the said City and Liberties of Westminster, and Places adjacent, the High Constable shall deliver out Precepts to the several Petty Constables, Headboroughs, or Tythingmen of each Parish, Ward, Hamlet, and District, within their respective Divisions, to billet and quarter such Officers and Soldiers of His Majesty's Regiments of Foot Guards on such Houses only as by this Act is limited within his respective Parish, Hamlet, or District; and such Petty Constables, Headboroughs, and Tythingmen shall, in pursuance thereof, billet and quarter every such Officer and Soldier in such Houses so subjected thereto by this Act equally and proportionably, according to the Number of such Officers and Soldiers so to be billeted and quartered, and of the Houses so subjected to receive them.

And, for the better preventing Abuses in billeting and quartering such Officers and Soldiers in the said City and Liberties of Westminster, and Parts adjacent, be it

Constables, &c. to deliver Lists at Quarter Sessions, on Oath, of Inhabitants, and Soldiers quartered in their respective Divisions;

enacted by the Authority aforesaid, That the Petty Constables, Headboroughs, and Tythingmen of their respective Parishes, Wards, Hamlets, and Districts within the same, shall, at every General Quarter Sessions of the Peace, to be holden for the said City and Liberties of Westminster, and Parts adjacent, make and deliver to the Justices, then in open Sessions assembled, upon Oath (which Oath they the said Justices are hereby authorized and required to administer) true Lists signed by them respectively of all such Houses, together with the Number of all such Persons respectively inhabiting the same, within his and their Parish, Ward, Hamlet, or District respectively, as are subject and liable by this Act to receive such Officers and Soldiers, together with the Number of all such Officers and Soldiers as are quartered and billeted in each House respectively; and such Lists shall remain with the Clerk of the Peace of the said City and Liberties of Westminster, to the Intent that all and every Person and Persons shall and may be at Liberty to inspect the same without Fee or Reward; and such Clerk shall forthwith, from time to time, make and deliver to every or any Person or Persons who shall require the same, true Copies of all and every or any such Lists, upon being paid Two Pence a Sheet for each and every such Copies so taken, each Sheet to be computed at, and contain One hundred and fifty Words; and if Default or Neglect shall be made by any Petty Constable, Headborough, or Tythingman, of any such Parish, Ward, Hamlet, or District, in the delivering such List to the Justices at their Quarter Sessions, as aforesaid, or if he or they shall so deliver or cause to be delivered in, any false or defective List, not including and specifying therein all and every such House and Houses so liable by this Act to receive such Officers and Soldiers, or the Names of all such Officers and Soldiers as are quartered and billeted in each House respectively; such Petty Constable, Headborough, and Tythingman, or any of them so offending therein, shall, for each such Offence, forfeit each the Sum of Five Pounds, to the Use of the Poor of such respective Parishes, Wards, Hamlets, and Districts, to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of One or more of His Majesty's Justice or Justices of the Peace for the said City of Westminster, or for the County of Middlesex (which Warrant or Warrants the said Justice or Justices is and are hereby impowered and required to make and issue) and for want of sufficient Distress to be found for that Purpose, the said Justice or Justices is and

to be inspected without Fee.

Copies of such Lists to be wrote by the Clerk, at 2 *d.* *per* Sheet, containing 150 Words.

Penalty on Default

Penalty on giving defective Lists.

How to be levied.

are

are hereby impowered and required, by Warrant or Warrants under his or their Hands and Seals, to commit the Person or Persons so offending to the Common Gaol of the said City of Westminster, or County of Middlesex, there to remain for any Time, to be limited by such Justice or Justices, not exceeding Three Months, and not less than One Month, without Bail or Mainprize.

This Act to extend to *Jersey* and *Guernsey*.

And be it further enacted by the Authority aforesaid, That this Act shall be construed to extend to the Islands of Jersey and Guernsey, as to the Clauses therein for mustering and paying, and the Penalties thereunto belonging.

Muster-rolls to be closed on Day of Muster,

and returned to the Paymaster of the Forces, &c.

And be it further enacted by the Authority aforesaid, That the Commissary General of the Musters, or his Deputy, shall upon every Muster taken by him or them respectively of any Regiment, Troop, or Company, in His Majesty's Service, close the Muster-rolls of the said Regiment, Troop, or Company, upon the Place, the same Day the Muster is taken; and shall return One of every of the said Rolls so taken in Parchment, to the Paymaster General of His Majesty's Guards and Garrisons, or to such Paymaster respectively, under whose Care the Payment of such Forces shall be; and One of the said Rolls so taken, to the Comptroller or Comptrollers of the Accounts of the Army, the Fourth Day after the said Rolls shall respectively be closed, if in London, or within Twenty Miles Distance from the same; and if at farther Distance, by the next Post after the said Rolls shall be respectively closed: And no Alterations or Indorsements shall be made in or upon the said Muster-rolls, other than in the Case of Orders of Leave, or Dates of Commissions, and other than involuntary Errors or literal Mistakes in writing or transcribing the said Muster-rolls, upon Pain of forfeiting their respective Employments, and the Sum of Twenty Pounds, to any Person that will sue for the same, for every such Offence.

Penalty.

Justices may order Constables to provide Carriages.

And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for His Majesty's Forces in their Marches, or for their Arms, Clothes, and Accoutrements, in England, Wales, and the Town of Berwick upon Tweed, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties, and Precincts, being duly required thereunto by an Order from his Majesty, or the General of His Forces, or the Master General, or Lieutenant General of His Majesty's Ordnance, shall, as often

as

as such Order is brought and shewn unto One or more of them by the Quarter-master, Adjutant, or other Officer of the Regiment, Detachment, Troop, or Company so ordered to march, issue out his or their Warrants to the Constables or Petty Constables of the Division, Riding, City, Liberty, Hundred, and Precinct, from, through, near, or to which such Regiment, Detachment, Troop, or Company, shall be ordered to march; requiring them to make such Provision for Carriages, with able Men to drive the same, as is mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burden: And in case sufficient Carriages cannot be provided within any such Liberty, Division, or Precinct, then the next Justice or Justices of the Peace of the County, Riding, or Division, shall, upon such Order, as aforesaid, being brought or shewn to One or more of them, by any of the Officers aforesaid, issue his or their Warrants to the Constables, or Petty Constables, of such next County, Riding, Liberty, Division, or Precinct, for the Purposes aforesaid, to make up such Deficiency: And the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant from the Justices of the Peace, are to demand the Carriage or Carriages therein mentioned, of the Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of One Shilling for every Mile any Waggon with Five Horses shall travel; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses shall travel; and the Sum of Nine Pence for every Mile any Cart with Four Horses shall travel; and so in Proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same: And such Constable or Petty Constable shall order and appoint such Person or Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Military Officer or Officers, for the Use of whose Troop or Company the Carriage was provided, shall force and constrain any Waggon, Wain, Cart, or Carriage to travel more than One Day's Journey, or shall not

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than One Day's Journey, &c.

not discharge the same in due Time for their Return Home, or shall suffer any Soldier or Servant (except such as are sick) or any Woman to ride in the Waggon, Wain, Cart, or Carriage aforesaid, or shall force any Constable, or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants, or Soldiers; every such Officer, for every such Offence, shall forfeit the Sum of Five Pounds; Proof thereof being made upon Oath, before Two of His Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the Paymaster General, or other respective Paymaster of His Majesty's Forces, who is hereby required to pay the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, who are hereby impowered to deduct the same out of such Officer's Pay.

Penalty on Constables, &c. Neglect.

And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute such Warrants of the Justices of the Peace, as shall be directed unto them for providing Carriages as aforesaid; or if any Person or Persons, appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing, whereby the Execution of the said Warrants shall be hindered or frustrated; every such Constable, or other Person or Persons so offending shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings, nor less than Twenty Shillings, to the Use of the Poor of the Parish where any such Offence shall be committed: And all and every such Offence and Offences shall and may be enquired of, heard, and fully determined, by Two of His Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) to the Owner.

And whereas the respective Sums of Money by this Act appointed to be paid to the Constable by the Officers demanding such Carriages, are not in many Cases sufficient to answer the Charge and Expence of providing the same, insomuch that the said Constables are frequently at great Charges, over and above what is received by them of the said Officers, to the great Burthen of the

Township of which he is Constable, or else the Persons performing such Carriages are grievously oppressed: For Remedy whereof, and that the said Overplus Charge may be borne by each County or Riding, at the general Charge of such County or Riding, be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him paid, or laid out for such Carriages, over and above what was or ought to have been paid by the Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules, and Directions, as the said Justices of the Peace, in their Quarter Sessions assembled, within their respective Jurisdictions, shall, from time to time, during the Continuance of this Act, make, direct, and appoint (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the Length and Condition of the Ways by and through which such Carriages are to travel.

Treasurers of the County to repay the Constables extraordinary Charges.

And in case the said publick Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before-mentioned; it is hereby further enacted, That the said Justices of the Peace in the General Quarter Sessions shall have Power, from time to time, to raise Monies upon their respective Counties or Ridings, in such Manner as they now raise Monies for County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages.

The Money how to be raised.

Provided always, and be it further enacted, That no Waggon, Wain, Cart, or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above Twenty hundred Weight; any thing in this Act contained to the contrary notwithstanding.

No Waggon, &c. to carry above 20 hundred Weight.

And be it further enacted, That the Carriages for the Service of the Forces, from time to time, quartered or marching in Scotland, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in Force in Scotland at the Time of the Union.

Carriages in *Scotland* how to be provided.

And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorized to quarter Soldiers in any Houses hereby appointed for that Purpose, shall, at any Time, during the Continuance of this Act, quarter any of the Wives, Children,

Soldiers Wives, &c. not to be quartered without Consent.

Men

Men or Maid-servants of any Officer or Soldier in any such Houses, against the Consent of the Owners; the Party offending, if an Officer of the Army, shall, upon Complaint and Proof thereof made to the Commander in Chief of the Army, or Judge Advocate, be ipso facto cashiered; and if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party aggrieved Twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace, to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same. Penalty.

And, for the better Preservation of the Game, in or near such Place, where any Officers or Soldiers shall at any Time be quartered, be it enacted by the Authority aforesaid, That if, from and after the said Twenty fourth Day of March, One thousand seven hundred and fifty three, any Officer or Soldier shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill, or destroy, any Hare, Coney, Pheasant, Partridge, Pigeon, or any other Sort of Fowls, Poultry, or Fish, or His Majesty's Game, within the Kingdom of Great Britain; and upon Complaint thereof shall be, upon Oath of One or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby impowered and authorized to hear and determine the same; (that is to say) every Officer so offending shall, for every such Offence, forfeit the Sum of Five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Soldier under his Command, shall forfeit the Sum of Twenty Shillings, to be paid and distributed in Manner aforesaid: And if, upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within Two Days pay the said respective Penalties; such Officer so refusing or neglecting shall forfeit, and is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void. Penalty on Officers or Soldiers destroying the Game.

And be it enacted, That there shall be an exact Account of all Monies due, according to the Muster-rolls, to every Regiment in His Majesty's Service, made between the Paymaster General, or other respective Paymasters of the Forces for the time being, and the Colonel of every such Regiment, or the Agent by such Colonel respectively appointed How the Account of every Regiment shall be kept.

pointed and authorized to receive the Pay thereof, from time to time (that is to say) when Four Months become due, an Account shall be stated as aforesaid, for the Two preceding Months; and after the said Account shall be so made up and perfected, it shall be registered in a Book to be kept for that Purpose in the Pay-office, and there subscribed by such Paymaster General or other respective Paymaster, or his Deputy, and the Colonel or Agent of the Regiment, who, together with the said Paymaster, made up the same; and a Duplicate thereof, by them respectively signed, shall be given to the said Colonel or Agent, without any Fee or Reward to be paid for the same: Which Colonel or Agent shall deliver to each Captain of the Regiment an Account of so much thereof as respectively appertaineth to him, and his Troop or Company, and the inferior Officers or Soldiers thereof; and the Balance, which shall remain upon making up every such Account as aforesaid, and also all other Money, as then shall become due to every such Regiment, shall be, by the said Paymaster General, or other respective Paymaster, paid to the said Colonel or Agent respectively, at such Time as His Majesty shall direct: And the Paymaster General, or other respective Paymaster, for the time being, offending herein, shall forfeit, for every such Offence, One hundred Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record. And if any Deputy of the said Paymaster, or any Agent of a Regiment, shall offend in the Premisses, upon Proof thereof made, such Deputy or Agent shall ipso facto lose his Place, and be incapable of that or any other Office for the future, and shall be liable to pay Two hundred Pounds to any other Person who shall inform or sue for the same, by Action, Bill, Suit, or Information, in any Court of Record at Westminster; wherein no Essoin, Protection, Wager of Law, or more than One Imparlance shall be allowed: And if any Colonel of a Regiment shall offend therein, such Colonel shall forfeit, for every such Offence, One hundred Pounds, to any Person or Persons who shall sue for the same, to be recovered as aforesaid.

Penalty on Paymaster, &c.

Penalty on Colonels.

And whereas several Soldiers, being duly listed, do afterwards desert, and are often found wandering, or otherwise absenting themselves illegally from His Majesty's Service; it is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough, or Tythingman of the Town or Place, where any Person, who may be reasonably suspected to be such a Deserter, shall be found, to apprehend, or cause him to be apprehended, and to cause such Person to be brought before

Justices may commit Deserters.

before any Justice of the Peace, living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear, or be found, that such suspected Person is a listed Soldier, and ought to be with the Troop or Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction, or other publick Prison in such Town or Place where such Deserter shall be apprehended; or to the Savoy, in case such Deserter shall be apprehended within the City of London or Westminster, or Places adjacent, and transmit an Account thereof to the Secretary at War for the time being, to the end such Person may be proceeded against according to Law; and the Keeper of such Gaol, House of Correction, or Prison, shall receive the full Subsistence of such Deserter or Deserters, during the Time that he or they shall continue in his Custody, for the Maintenance of the said Deserter or Deserters; but shall not be intitled to any Fee or Reward on account of the Imprisonment of such Deserter or Deserters; any Law, Usage, or Custom to the contrary notwithstanding.

Reward for taking up Deserters.

And for the better Encouragement of any Person or Persons to secure or apprehend such Deserters aforesaid, be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tar Money, of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tar Money, arisen or to arise in the Year One thousand seven hundred and fifty three, into the Hands of such Person who shall apprehend, or cause to be apprehended, any Deserter from His Majesty's Service, the Sum of Twenty Shillings for every Deserter that shall be so apprehended and committed; which Sum of Twenty Shillings shall be satisfied by such Collector, to whom such Warrant shall be directed, and allowed upon his Account.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

Provided always, That if any Person shall harbour, conceal, or assist any Deserter from His Majesty's Service, knowing him to be such; the Person so offending shall forfeit, for every such Offence, the Sum of Five Pounds; or if any Person shall knowingly detain, buy, or exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Soldier or Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be

charged; the Person so offending shall forfeit, for every such Offence, the Sum of Five Pounds; and upon Conviction by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said respective Penalties of Five Pounds, and Five Pounds, shall be levied, by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of the Offender; One Moiety of the said first-mentioned Penalty of Five Pounds, to be paid to the Informer, by whose Means such Deserter shall be apprehended; and One Moiety of the said last-mentioned Penalty of Five Pounds to be paid to the Informer; and the Residue of the said respective Penalties to be paid to the Officer, to whom any such Deserter or Soldier did belong: And in case any such Offender, who shall be convicted, as aforesaid, of harbouring or assisting any such Deserter or Deserters; or having knowingly received any Arms, Clothes, Caps, or other Furniture belonging to the King; or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act; shall not have sufficient Goods and Chattles, whereon Distress may be made, to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within Four Days after such Conviction; then, and in such Case, such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice.

Penalty on Officer breaking open House without Warrant.

Provided always, That no Commission Officer shall break open any House to search for Deserters, without Warrant from a Justice of the Peace; and that every Commission Officer, who shall without Warrant from One or more of His Majesty's Justices of the Peace (which said Warrants the said Justice or Justices are hereby impowered to grant) forcibly enter into, or break open the Dwelling-house or Out-houses of any Person whatsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

His Majesty impowered to make Articles of War.

Provided always, That it shall and may be lawful to and for His Majesty to form, make, and establish Articles of War for the better Government of His Majesty's Forces, and for bringing Offenders against the same to Justice; and to erect and constitute Courts-martial, with Power to try, hear, and determine any Crimes or Offences by such Articles of War, and inflict Penalties by Sentence or Judgement

Judgement of the same; as well within the Kingdoms of Great Britain and Ireland, as in the Island of Minorca, His Majesty's Garrison of Gibraltar, and in any of His Majesty's Dominions beyond the Seas.

None to be adjudged of Life or Limb, but for Crimes expressed so punishable by this Act.

Provided always, That no Person or Persons shall be adjudged to suffer any Punishment, extending to Life or Limb, by the said Articles of War, within the Kingdom of Great Britain and Ireland, except for such Crimes as are expressed to be so punishable by this Act.

Deserters beyond Sea, may be tried here or in *Ireland*.

Provided always, and be it further enacted, That if any Officer or Soldier shall desert His Majesty's Service in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm, or Ireland, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same; such Officer or Soldier shall be tried for the same, as if the said Offence had been committed within this Realm.

This Act to extend to Mutineers, &c. in *Ireland*.

Provided always, That so much of this Act as relates to the Punishment of Mutineers and Deserters within this Realm, and such who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Soldier or Deserter, or cause the Colour of such Clothes to be changed, shall extend, to all Intents and Purposes whatsoever, to such Governors, or other Officers in Garrisons and Forces, as His Majesty has now in Pay, or shall have in Pay in Ireland, and shall be put in Execution in that Kingdom, by all Justices of the Peace, and other Officers respectively, according to the Tenor of, and during the Continuance of this Act.

Persons acquitted by the Civil Magistrate, may only be cashiered by a Court-martial.

Provided also, That no Person or Persons being acquitted or convicted of any capital Crimes, Violences, or Offences, by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons accused of capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

Provided also, That if any Officer, Non-commission Officer, or Soldier, shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate, or Property of any of His Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Regiment, Troop, Company, or Party, is and are hereby required to use his utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial; and if any such Commanding Officer shall wilfully neglect

or

or refuse upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any Two or more Justices of the Peace for the County where the Fact is committed, by the Oath of Two credible Witnesses, shall be deemed and taken to be ipso facto cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace for the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

Paymasters, &c. to account with Executors.

Provided always, and be it enacted by the Authority aforesaid, That every present and future Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company, who is or shall be liable to account with any of the Executors and Administrators of every Officer or Soldier, for any of the Pay of such Officer or Soldier by him or them received; shall, on reasonable Demand made by such Executor or Administrator, deliver a just and true Account to any such Executor or Administrator, of such Sum or Sums of Money, as he or they shall have so respectively received for such Officer or Soldier, and for which they ought so to account as aforesaid, such Executor or Administrator paying for the same, and shall account with such Executor or Administrator for the same; and that every such Paymaster, Agent, or Clerk of any Garrison, Regiment, Troop, or Company, offending herein, shall forfeit the like Penalties, and to be recovered in like Manner, as appointed by this Act, for such Colonels or Agents not giving due Accounts of or for the Pay of the said Officers and Soldiers, to and for such Officers and Soldiers themselves.

Persons sued may plead the General Issue.

And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, or Suit shall be brought against any Person or Persons, for any Act, Matter, or Thing, to be acted or done in pursuance of this Act, that it shall and may be lawful to and for all and any Person or Persons sued as aforesaid, to plead thereunto the General Issue, that he or they are Not Guilty, and to give such special Matter in Evidence to the Jury which shall try the Issue; which special Matter, being pleaded, had been a good and sufficient Matter in Law to have discharged the said Defendant or Defendants of the Trespass or other Matter laid to his or their Charge:

Charge: And if the Verdict shall pass with the said Defendant or Defendants in any such Action, the Plaintiff or Plaintiffs therein become Nonsuit, or suffer any Discontinuance thereof; that in every such Case the Justice or Justices, or such other Judge, before whom the said Matter shall be tried, shall by Force and Virtue of this Act allow unto the Defendant or Defendants his or their Treble Costs, which he or they shall have sustained by reason of their wrongful Veration in Defence of the said Action or Suit; for which the said Defendant or Defendants shall have the like Remedy as in other Cases, where Costs by the Laws of this Realm are given to Defendants. Treble Costs.

And be it further enacted by the Authority aforesaid, That every Bill, Plaint, Action, or Suit, against any Person or Persons, for any Act, Matter, or Thing to be acted or done in pursuance of this Act, or against any Member or Minister of a Court-martial, in respect of any Sentence of such Court, or of any thing done by virtue or in pursuance of such Sentence, shall be brought in some of the Courts of Record at Westminster or Dublin, or the Court of Session in Scotland, and in no other Court whatsoever. All Suits to be brought in some of the Courts of Record at *Westminster* or *Dublin*, or the Court of Session in *Scotland*.

And be it further enacted by the Authority aforesaid, That this Act, and every thing herein contained, shall be and continue in Force within the Realm of Great Britain, from the said Twenty fourth Day of March, in the Year of our Lord One thousand seven hundred and fifty three, until the Twenty fifth Day of March, in the Year of our Lord One thousand seven hundred and fifty four; and shall be and continue in Force, within the Kingdom of Ireland, from the said Twenty fourth Day of March, in the Year of our Lord One thousand seven hundred and fifty three, until the First Day of May, One thousand seven hundred and fifty four; and shall be and continue in Force, within the Island of Minorca and Garrison of Gibraltar, and in His Majesty's other Dominions beyond the Seas, from the said Twenty fourth Day of March, in the Year of the Lord One thousand seven hundred and fifty three, until the Twenty fifth Day of March, in the Year of our Lord One thousand seven hundred and fifty five. Continuance of this Act.

And whereas by an Act of the First Year of his late Majesty's Reign, intituled, An Act for the more effectual and exemplary Punishment of such Persons, as shall seduce Soldiers to desert; or, being Papists, shall inlist themselves in His Majesty's Service in *Great Britain* or *Ireland*, or in the Islands of *Guernsey* or *Jersey*; it is enacted, That any Person or Persons whatsoever, who shall directly or indirectly persuade or procure, or endeavour to persuade or procure,

cure, any Soldier or Soldiers in the Service of His Majeſty, or of His Heirs or Succeſſors, to deſert; ſuch Perſon or Perſons ſo offending, and being thereof lawfully convicted, ſhall forfeit the Sum of Forty Pounds: Now be it enacted, That for ſuch Offences as ſhall be committed againſt the ſaid recited Act, within that Part of Great Britain called England, the Penalties thereby enacted ſhall be ſued for, and recoverable, in any of His Majeſty's Courts of Record at Weſtminſter; and for ſuch Offences againſt the ſaid Act, as ſhall be committed in that Part of Great Britain called Scotland, the ſame ſhall be ſued for and recoverable in His Majeſty's Courts of Exchequer in Scotland; and for ſuch Offences againſt the ſaid Act as ſhall be committed in Ireland, the ſame ſhall and may be ſued for, and recoverable, in any of the Four Courts at Dublin; any thing in the ſaid recited Act to the contrary thereof in any wiſe notwithſtanding.

Penalties againſt the Act 1 *Geor.* I. where to be ſued for.

And to prevent, as far as may be, any unjuſt or fraudulent Arreſts that may be made upon Soldiers, whereby His Majeſty and the Publick may be deprived of their Service; it is hereby further enacted by the Authority aforeſaid, That no Perſon whatſoever, who is liſted or ſhall liſt and enter himſelf as a Volunteer in His Majeſty's Service, as a Soldier, either in the Kingdom of Great Britain or Ireland, or in any of His Majeſty's Plantations, during the Continuance of this Act, ſhall be liable to be taken out of His Majeſty's Service by any Proceſs or Execution whatſoever, other than for ſome criminal Matter, unleſs for a real Debt, or other juſt Cauſe of Action; and unleſs, before the taking out of ſuch Proceſs or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or ſome other Perſon or Perſons on his or their Behalf, ſhall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court, out of which ſuch Proceſs or Execution ſhall iſſue, or before ſome Perſon authorized to take Affidavits in ſuch Courts, that to his or their Knowledge the original Sum, juſtly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action, or Cauſe of Action, on which ſuch Proceſs ſhall iſſue, or the original Debt, for which ſuch Execution ſhall be iſſued out, amounts to the Value of Ten Pounds at leaſt, over and above all Coſts of Suit in the ſame Action, or in any other Action, on which the ſame ſhall be grounded; a Memorandum of which Oath ſhall be marked on the Back of ſuch Proceſs or Writ; for which Memorandum or Oath no Fee ſhall be taken: And if any Perſon ſhall nevertheleſs be arreſted contrary to the Intent of this Act, it ſhall and may be lawful for

No Volunteer liable to Proceſs, unleſs for ſome criminal Matter,

or unleſs for a real Debt of the Value of 10 *l.*

Oath of the Debt to be made before a Judge,

and marked on the Back of the Proceſs.

One or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Soldier so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Soldier so arrested, was legally listed as a Soldier in His Majesty's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining such Costs, as such Judge or Judges shall think reasonable: For the Recovery whereof, he shall have the like Remedy that the Person, who takes out the said Execution, might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgement had been given for him with Costs, against the Defendant in the said Action.

And to the end that honest Creditors, who aim only at the Recovery of their just Debts, due to them from Persons entered into, and listed in His Majesty's Service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of an Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to themselves, may be enabled to proceed in a more speedy and cheap Method; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so listed, or left at his or their last Place of Residence, before such Listing, to file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgement and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so listed as aforesaid; this Act, or any thing herein, or any former Law or Statute to the contrary notwithstanding. Plaintiff may file a common Appearance, &c.

And be it further enacted by the Authority aforesaid, That if any High Constable, Constable, Bedel, or other Officer or Person whatsoever, who, by Virtue or Colour of this Act, shall quarter or billet, or be employed in quartering or billeting any Officers or Soldiers, shall neglect or refuse, for the Space of Two Hours, to quarter or billet such Officers or Soldiers when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, contract, or agree for any Sum or Sums of Money, or any Reward whatsoever, Penalty on Constables taking Money to excuse any Person from quartering.

ever, for or on account of excusing, or in order to excuse any Person or Persons whatsoever from quartering or receiving into his, her, or their House or Houses any such Officer or Soldier; or in case any Victualler, or any other Person, liable by this Act to have any Officer or Soldier billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Soldier so quartered or billeted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before respectively directed to be furnished or allowed to Non-commission Officers and Soldiers so quartered or billeted on him or her as aforesaid; or shall neglect or refuse to furnish good and sufficient Hay and Straw for each Horse so quartered or billeted on him or her as aforesaid, at the Rate herein before-mentioned, and shall be thereof convicted before any One or more Justice or Justices of the Peace of the County, City, or Liberty, within which such Offence shall be committed, either by his own Confession, or by the Oath of One or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered to administer) every such High Constable, Constable, Bedel, or other Officer or Person so offending, shall forfeit, for every such Offence, the Sum of Five Pounds, or any Sum of Money not exceeding Five Pounds, nor less than Forty Shillings (as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit) to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, before whom such Offender shall be convicted, or of One or more of them, to be directed to any other Constable within the County, City, or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; the said Sum of Five Pounds, or the said Sum not exceeding Five Pounds, nor less than Forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish wherein the Offence shall be committed, or to some One of them, for the Use of the Poor of the said Parish.

Or Victuallers refusing to quarter Soldiers.

And for the better preventing Abuses in quartering or billeting the Soldiers, in pursuance of this Act; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any One or more Justice or Justices of the Peace, within their respective Counties, Cities, or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times, during the Continuance of this Act, to require and command any High Constable, Constable, Bedel, or other

Justices may order Constables to give an Account of the Number of Officers and Soldiers quartered, &c.

other Officer, who shall quarter or billet any Soldiers in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Soldiers, who shall be quartered or billeted by them, and also the Names of the House-keepers or Persons, upon whom every such Officer or Soldier shall be quartered or billeted, together with an Account of the Street or Place where every such House-keeper dwells, and of the Signs (if any) belonging to their Houses; to the end it may appear to the said Justice or Justices, where such Officers and Soldiers are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

How the Troops are to pay in passing over Ferries in *Scotland*.

And be it further enacted, That where any Troops or Parties upon Command, have Occasion in their March to pass regular Ferries in that Part of Great Britain called Scotland, it shall and may be lawful for the Commanding Officer, either to pass over with his Party as Passengers, or to hire the Ferry Boat intire to himself and his Party, debarring others for that Time, in his Option; and in case he shall choose to take Passage for himself and Party as Passengers, he shall only pay for himself, and for each Person, Officer or Soldier under his Command, half of the ordinary Rate payable by single Persons at any such Ferry; and in case he shall hire the Ferry Boat for himself and Party, he shall pay half of the ordinary Rate for such Boat or Boats; and in such Places where there are no regular Ferries, but that all Passengers hire Boats at the Rates they can agree for; Officers, with or without Parties, are to agree for Boats at the Rate as other Persons do in the like Cases.

Clause for Relief of Persons hastily listing themselves.

Provided nevertheless, and it is hereby declared by the Authority aforesaid, That from and after the Twenty fifth Day of March, One thousand seven hundred and fifty three, when and as often as any Person or Persons shall be inlisted as a Soldier or Soldiers in His Majesty's Land Service, he and they shall, within Four Days, but not sooner than Twenty four Hours, after such Inlisting respectively, be carried before the next Justice of the Peace of any County, Riding, City, or Place, or Chief Magistrate of any City or Town Corporate (not being an Officer in the Army) and before such Justice or Chief Magistrate, he or they shall be at Liberty to declare his or their Dissent to such Inlisting; and upon such Declaration, and returning the Inlisting-money, and also each Person, so dissenting, paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, such Person or

Persons so inlisted shall be forthwith discharged and set at Liberty, in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours, to return and pay such Money, as aforesaid; he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; or if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand, that such Person or Persons is or are duly inlisted; setting forth the Place of the Birth, Age, and Calling of him or them respectively (if known) and that the Second and Sixth Sections of the Articles of War against Mutiny and Desertion were read to him or them, and that he or they had taken the Oath mentioned in the said Articles of War; and if any such Person or Persons, so to be certified as duly inlisted, shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain or confine such Person or Persons, until he or they shall take the Oath before required; and every Military Officer, that shall act contrary hereto, or offend herein, shall incur the like Penalty and Forfeiture, as is by this Act to be inflicted upon any Officer for making a false and untrue Muster; and the Penalty and Forfeiture shall be levied and recovered in the same Manner as any Penalties or Forfeitures are by this Act to be levied and recovered.

Persons refusing the said Relief to be proceeded against, as if duly listed.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall receive the Inlisting-money from any Officer (knowing it to be such) and shall abscond or refuse to go before such Justice or Chief Magistrate, in order to declare his Assent or Dissent, as aforesaid; such Person or Persons shall be deemed and taken to be inlisted, to all Intents and Purposes whatsoever; and shall and may be proceeded against, as if he or they had taken the Oath directed by the said Articles of War, to be taken before such Justice or Chief Magistrate.

Offences against former Mutiny Acts, punishable by this Act.

And in order to prevent all Doubts that may arise in relation to punishing Crimes and Offences committed against former Acts of Parliament, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters; be it declared and enacted by the Authority aforesaid, That all Crimes and Offences which have been committed against an Act made in the Seventeenth Year of his present Majesty's Reign, intituled, An

Act for the punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters; or against any other Act of Parliament since made for the punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, shall and may, during the Continuance of this present Act, be enquired of, heard, tried, determined, adjudged, and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means, and Methods, as the like Crimes and Offences, committed against this present Act, may be enquired of, heard, tried, determined, adjudged, and punished.

And whereas it may otherwise be doubted, whether the Officers and Persons employed in the Trains of Artillery, be within the Intent and Meaning of this Act, for punishing of Officers and Soldiers, who shall mutiny, or desert His Majesty's Service, and for punishing false Musters, and for Payment of Quarters; it is hereby enacted by the Authority aforesaid, That the Officers, and Persons employed, or that shall be employed, in the several Trains of Artillery, be at all Times subject to all the Penalties and Punishments mentioned in this Act, and shall in all respects whatsoever be holden to be within the Intent and Meaning of every Part of this Act, during the Continuance of the same.

Officers, &c. in the Trains of Artillery, subject to this Act.

FINIS.

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

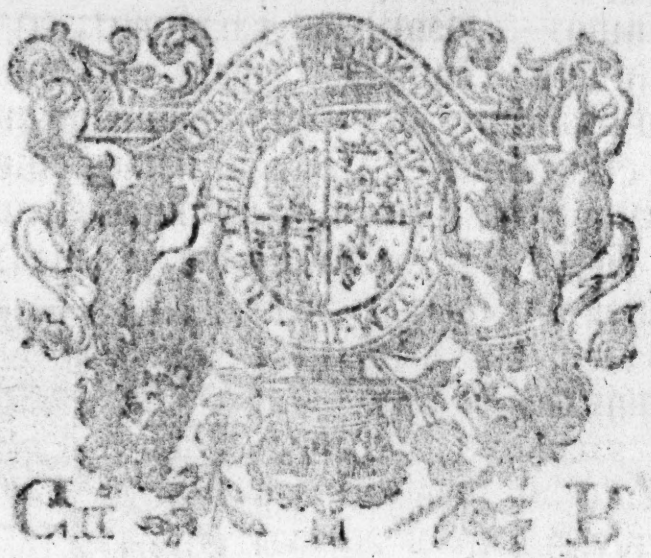
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

GII R

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



CHARLES II

Anno vicesimo sexto

Georgii II. Regis.

An Act to oblige Ships more effectually to perform their Quarentine; and for the better preventing the Plague being brought from Foreign Parts into *Great Britain* or *Ireland*, or the Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*.

Whereas it is necessary that some Provision be made by Parliament, for obliging Ships and Persons coming from Places infected with, or frequently subject to the Plague, to perform Quarentine in such Manner as hath been, or shall be, ordered by His Majesty, His Heirs, or Successors; and for punishing Offenders therein, in a more expeditious Manner than can be done by the ordinary Methods of Law; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That all Ships and Vessels arriving, and all Persons, Goods, and Merchandizes whatsoever, coming, or imported into any Port or Place within Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man, from any Place from whence His Majesty, His Heirs, or Successors, by and with the Advice of His or Their Privy Council, shall judge it probable that the Infection may be brought, shall be obliged to make their Quarentine in such Place and Places, for such Time, and in such Manner, as hath been, or shall, from time to time, be directed by His

Preamble

All Vessels, Persons, and Goods, coming from Places from whence the Plague may be brought, subject to perform Quarentine in such Places as shall be appointed;

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Majesty, His Heirs, or Successors, by His or Their Order or Orders made in His or Their Privy Council, and notified by Proclamation, or published in the London Gazette; and that until such Ships, Vessels, Persons, Goods, and Merchandizes, shall have respectively performed, and be discharged from such Quarentine, no such Person, Goods, or Merchandizes, or any of them, shall come, or be brought on Shore, or go or be put on Board any other Ship or Vessel, in any Place within His Majesty's Dominions, unless in such Manner, and in such Cases, and by such Licence, as shall be directed or permitted by such Order or Orders made by His Majesty, His Heirs, or Successors, in Council as aforesaid; and that all such Ships and Vessels, and the Persons or Goods coming or imported in, or going or being put on Board the same, and all Ships, Vessels, Boats, and Persons, receiving any Goods or Persons out of the same, shall be subject to such Orders, Rules, and Directions, concerning Quarentine, and the Prevention of Infection, as have been, or shall be made by His Majesty, His Heirs, and Successors, in Council, and notified by Proclamation, or published in the London Gazette as aforesaid.

Vessels infected, being to the Northward of Cape *Finisterre*, to proceed to the Harbour of *New Grimsby*, and give Notice of their Case; and the Intelligence to be transmitted to the Secretary's Office, &c.

And it is hereby further enacted by the Authority aforesaid, That if the Plague shall appear on Board any Ship, being to the Northward of Cape Finisterre, the Master, Commander, or other Person having Charge thereof, shall immediately proceed to the Harbour of New Grimsby in the Islands of Scilly, where being arrived, he shall make known his Case to some Officer of the Customs there, who shall immediately acquaint some Custom-house Officer of some near Port of England thereof; and the said Custom-house Officer shall with all possible Speed send up the Intelligence thereof to One of His Majesty's Principal Secretaries of State, that such Measures may be taken for the Comfort and Support of the Crew of such Ship so infected, and such Precautions used to prevent the spreading of the Infection, as the Case shall require; and the said Ships shall remain at the said Islands of Scilly, till His Majesty's Pleasure be known; nor shall any of her Crew go on Shore; but in case the said Master, Commander, or other Person having Charge of the said Ship so infected, shall not be able to make the said Islands of Scilly, or shall be forced by Stress of Weather, or otherwise, to go up either of the Channels, he shall not presume to enter with such Ship into any Port, but shall remain in some open Road, till he receives Orders from his Majesty, or His Privy Council, and shall take care to prevent any of his Ship's Company from going out of his Ship.

Vessels not able to make *Scilly*, to remain in some open Road till Orders arrive.

and to avoid all Intercourse with other Ships or Persons; and the said Master, or any other Person on Board such Ship as aforesaid, who shall be disobedient herein, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy; and every such Offence so made Felony, shall and may be enquired of, heard, and determined, in the County where the Offence shall be committed, or else in the County where the Offender shall be apprehended. Penalty of Disobedience, Death.

And to the end that it may be better known whether any Ship or Vessel be actually infected with the Plague, or whether such Ship or Vessel, or the Mariners or Cargo coming and imported in the same, are liable to any Orders touching Quarentine; be it further enacted by the Authority aforesaid, That when any Country or Place is or shall be infected with the Plague; or when any Order or Orders is, are, or shall be made by His Majesty, His Heirs, or Successors, concerning Quarentine, and the Prevention of Infection, as aforesaid, as often as any Ship or Vessel shall attempt to enter into any Port or Place in Great Britain or Ireland, or of the Isles of Guernsey, Jersey, Alderney, Sark, or Man, the Principal Officer of His Majesty's Customs in such Port or Place, or such Person as shall be authorized to see Quarentine duly performed, shall go off, or cause some other Person to be by him appointed for that Purpose to go off to such Ship or Vessel; and such Officer, or other Person authorized to see Quarentine performed, as aforesaid, or the Person so by him appointed for that Purpose, shall, at a convenient Distance from such Ship or Vessel, demand of the Commander, Master, or other Person having Charge of such Ship or Vessel; and such Commander, Master, or other Person having Charge of such Ship or Vessel, shall, upon such Demand, give a true Account of the following Particulars; that is to say, the Name of such Ship or Vessel; the Name of the Commander, or Person having Charge thereof; at what Place or Places the Cargo was taken on Board; what Place or Places the Ship or Vessel touched at in her Voyage; whether such Places, or any, and which of them were infected with the Plague; how long such Ship or Vessel had been in her Passage; how many Persons were on Board when the said Ship or Vessel set sail; whether any, and what Persons, during that Voyage on Board such Ship or Vessel, had been, or shall be then infected with the Plague; how many died in the Voyage, and of what Distemper; what Ships or Vessels he, or any of his Ship's Company, with his Privity, went on Board, or had any of their Company come on Board his Ship or Vessel in the When any Place shall be infected, or Orders made concerning Quarentine, Officer to go off to the Vessel coming into Port and interrogate the Master concerning the Ship's Cargo and Voyage, Health, &c.

Voyage; and to what Place such Ships or Vessels belonged; and also the true Contents of his Lading, to the best of his Knowledge: And in case it shall appear upon such Examination, or otherwise, that any Person then on Board such Ship or Vessel shall at the Time of such Examination be actually infected with the Plague, or that such Ship is obliged to perform Quarentine, in such Case it shall and may be lawful to and for the Officers of any of His Majesty's Ships of War, or any of His Majesty's Forts or Garrisons, and all other His Majesty's Officers whom it may concern, upon Notice thereof given to them, or any of them respectively, and to and for any other Person or Persons whom they shall call to their Aid and Assistance, and they are hereby required to oblige such Ship or Vessel to go and repair to such Place as hath been, or shall be appointed for Performance of Quarentine, and to use all necessary Means for that Purpose, be it by firing of Guns upon such Ship or Vessel, or any other kind of Force or Violence whatsoever; and in case any such Ship or Vessel shall come from any Place visited with the Plague, or have any Person on Board actually infected, and the Commander, Master, or other Person having Charge of such Ship or Vessel, shall conceal the same, such Commander, Master, or other Person having Charge of such Ship or Vessel, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy; and in case such Commander, Master, or other Person having Charge of such Ship or Vessel, shall upon such Demand made, as aforesaid, not make a true Discovery in any other of the Particulars aforesaid, such Commander, Master, or other Person having Charge of such Ship or Vessel, for every such Offence shall forfeit the Sum of Two hundred Pounds, One Moiety thereof to the King, His Heirs, and Successors, and the other Moiety to him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, Edinburgh, Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man, respectively.

If the Infection shall be on Board, &c. the Vessel to be obliged to perform Quarentine;

If the Vessel shall come from any Place infected, or have the Infection on Board, the Master concealing the same, to be adjudged of Felony;

and not making a true Discovery in other Particulars, to forfeit 200 *l.*

And be it further enacted by the Authority aforesaid, That every Master, Commander, or other Person having Charge of any Ship or Vessel which shall be ordered to perform Quarentine, as aforesaid, shall, after his Arrival at the Place appointed for the Performance of his Quarentine, deliver on Demand to the chief Officer appointed to see Quarentine duly performed there, such Bill of Health, and Manifest, as he shall have received from any British Consul during his Voyage, together with his Log-book and Journal, under

Master of a Vessel performing Quarentine,

to deliver to the Officer appointed, the Bill of Health, and Manifest, of the *British* Consul; with the Log-book and Journal, under Penalty of 500 *l.*

Penalty of forfeiting Five hundred Pounds; One Moiety thereof to the King, His Heirs, and Successors, the other Moiety to him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, Edinburgh, Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man, respectively.

Master, &c. quitting the Vessel before Quarentine be performed, unless by Licence;

And be it further enacted by the Authority aforesaid, That if any Commander, Master, or other Person having Charge of any Ship or Vessel liable to perform Quarentine, having Notice thereof, shall himself quit, or shall knowingly permit or suffer any Seaman or Passenger, coming in such Ship or Vessel, to quit such Ship or Vessel, by going on Shore, or by going on Board any other Ship, Boat, or Vessel, before such Quarentine shall be fully performed, unless in such Cases, and by such proper Licence, as shall be directed or permitted by such Order or Orders made, or to be made, concerning Quarentine, and the Prevention of Infection, as aforesaid; or in case any Commander, Master, or other Person having Charge of such Ship or Vessel, shall not, within convenient Time after due Notice given for that Purpose by the proper Officer, cause such Ship or Vessel, and the Lading thereof, to be conveyed into the Place or Places appointed for such Ship, Vessel, and Lading, to perform Quarentine respectively; then, and in every such Case, every such Commander, Master, or other Person having Charge of such Ship or Vessel, for every such Offence shall forfeit Five hundred Pounds; One Moiety thereof to the King, His Heirs, and Successors, and the other Moiety to him or them who will sue for the same; and also if any Person shall so quit such Ship or Vessel, by going on Shore, or by going on Board any other Ship or Vessel, contrary to the true Meaning of this Act, it shall and may be lawful for all Persons whatsoever, by any kind of Force and Violence, to compel such Person to return on Board such Ship or Vessel; and every such Person so quitting such Ship or Vessel shall, for every such Offence, suffer Imprisonment for the Space of Six Months, and shall also forfeit the Sum of Two hundred Pounds; One Moiety to the King, his Heirs, and Successors, the other Moiety to him or them that will sue for the same; the same respective Penalties and Forfeitures to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, Edinburgh, Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man, respectively.

or not going to the Place appointed for Quarentine, to forfeit 500 *l.*

and the Party quitting the Vessel to be obliged by Force to return on Board,

and to suffer Imprisonment, and forfeit 200 *l.*

And be it further enacted by the Authority aforesaid, That whenever His Majesty, His Heirs, and Successors, by and with

Lazarets may be erected on Common or Private Grounds, making Satisfaction to the Proprietors.

with the Advice and Consent of Parliament, shall direct Houses or Lazarets to be provided for the receiving and entertaining of Persons obliged to perform Quarentine, or for the depositing, opening, and airing of Goods and Merchandizes liable to perform Quarentine as aforesaid, it shall and may be lawful to erect the same, either in any waste Grounds or Commons, or where such waste Grounds or Commons are not sufficient, in the several Grounds of any Person or Persons whatsoever, not being a House, Park, Garden, Orchard, Yard, or planted Walk, or Avenue to a House, paying such Rate, Rent, or Consideration for the same to the Persons interested therein respectively, according to their several Interests in the same, as shall be agreed on between the Persons so interested, their Guardians or Trustees, and any Two Persons to be appointed for that Purpose by His Majesty, His Heirs, or Successors, under His or Their Sign Manual; and in case of any Difference concerning such Rate, Rent, or Consideration, between the Persons so interested, their Guardians or Trustees, and such Persons so to be appointed by His Majesty, His Heirs, or Successors, as aforesaid; then, and in such Cases the said Persons so to be appointed by His Majesty, His Heirs, and Successors, may, and are hereby authorized, Thirty clear Days before any General Quarter Session of the Peace to be holden for the respective Counties or Divisions where such Grounds shall respectively lie as aforesaid, to give, or cause to be given, to the Occupier or Occupiers of such several Grounds, or to be left at their last Places of Abode respectively, a Notice in Writing, describing the Quantity of Ground so directed by His Majesty, His Heirs, and Successors, by and with the Advice and Consent of Parliament, for the Purposes aforesaid, and purporting that the Rent or Consideration of such Ground will be adjusted and settled by a Jury at the said Sessions; and the Justices at their said Sessions, upon Proof to them made that such Notices have been given, shall and are hereby authorized and required to charge the Jury which shall attend at the said Sessions, or some other Jury of Twelve honest and substantial Men (to be then and there impanelled and returned by the Sheriff of the County, without Fee or Reward) and cause to be sworn, well and truly on their Oaths to assess the Value of the Ground comprized in the said Notices, and the Rent or Consideration to be given for the same to the respective Owner or Owners thereof, according to their respective Interests therein; which Oath the said Justices are hereby required to administer to the said Jury, and to which said Jury the said Persons to be appointed by His Majesty, His Heirs,

In case of Difference concerning such Satisfaction, the same to be settled by a Jury at the Quarter Sessions.

and

C

and Successors, and the Parties interested in such Ground, shall have their lawful Challenges; and the said Jury being so sworn and charged as aforesaid, after proper Evidence on Oath given to them, shall by their Verdict assess the Rent or Consideration to be given for such Ground to the respective Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and Judgement of the said Justices thereupon, shall be conclusive and finally bind all Parties; and that from and after such Verdict and Judgement, His Majesty, His Heirs, and Successors, shall and may hold and enjoy such Ground for and during all such Time and Term as His Majesty, His Heirs, and Successors, shall judge necessary for the Purposes aforesaid, paying for the same such Rate, Rent, or other Consideration, as shall be agreed upon, or assessed and adjudged, as aforesaid.

Officers to oblige all Persons to comply with such Orders as shall be made.

And be it further enacted by the Authority aforesaid, That the proper Officers authorized to put in Execution such Orders made, or to be made, as aforesaid, shall, and they are hereby impowered and required to cause and compel all Persons obliged to perform Quarentine, as aforesaid, and all Goods and Merchandizes comprized within any such Orders made, or to be made, as aforesaid, respectively to repair, or be conveyed to some of the said Houses or Lazarets, or to such other Places as shall be provided for the Reception of such Persons, Goods, or Merchandizes, or for the opening and airing of such Goods or Merchandizes, according to such Order or Orders made, or to be made, as aforesaid.

Persons refusing to perform Quarentine, &c.

Officers may compel them by Force;

And be it further enacted, That if any Person obliged to perform Quarentine, as aforesaid, shall wilfully refuse or neglect to repair, within convenient Time after due Notice for that Purpose given to him, her, or them, by the proper Officer, to the House, Lazaret, or other Place, duly appointed for him, her, or them, or, having been placed in such House or Lazaret, or other Place, shall escape or attempt to escape out of the same, before Quarentine fully performed; it shall and may be lawful to and for the Watchmen, and other Persons appointed to see Quarentine performed, by such Force as the Case shall require, to compel every such Person so refusing or neglecting, as aforesaid, and every such Person so escaping, or attempting to escape, as aforesaid, to repair or return into such House, Lazaret, or other Place so appointed for him or her, as aforesaid; and every such Person so refusing or neglecting to repair, within convenient Time after such Notice, as aforesaid, into such House, Lazaret, or other Place appointed for him or her, as aforesaid; and also every Person actually

Persons escaping, &c. to be adjudged of Felony.

escaping, as aforesaid, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Officers to enforce Obedience to their Orders.

And whereas Disobedience, or refractory Behaviour in Persons under Quarentine, may be attended with great Danger and Inconvenience; be it further enacted by the Authority aforesaid, That all Persons liable to perform Quarentine, whether in Ships, Lazarets, or elsewhere, shall be subject, during the said Quarentine, to such Orders as they shall receive from the proper Officers authorized to see it duly performed; and the said Officers are hereby impowered and required to enforce all necessary Obedience to their said Orders; and may, in case of Necessity, call in others to their Assistance; and all Persons, so called, are hereby required to assist accordingly.

Sound Persons entering a Lazaret, &c. where the Infection is, to be obliged to continue there, and perform Quarentine;

And be it further enacted, That if any Person, not infected with the Plague, nor liable to perform Quarentine, shall enter any House, Lazaret, or other Place so appointed, as aforesaid, whilst any Person or Persons infected with the Plague, or being under Quarentine, shall be therein; and shall return, or attempt to return from thence, unless in such Cases, and by such Licence, as shall be directed or permitted by such Order or Orders, made or to be made, as aforesaid; it shall and may be lawful to and for the Watchmen, or other Persons appointed to guard or secure such House, Lazaret, or other Place so appointed as aforesaid, by such Force as the Case shall require, to compel such Person so returning or attempting to return, to repair into such House, Lazaret, or other Place so appointed as aforesaid, there to continue and perform Quarentine: And in case such Person shall actually escape out of such House, Lazaret, or other Place, where he or she shall be so placed for Performance of Quarentine, before he or she shall have fully performed the same, he or she shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

and if he escape, to be judged of Felony.

Officer neglecting his Duty, to forfeit his Office, and 100 *l.*

And it is hereby further enacted, That if any Officer or Officers of His Majesty's Customs, or any other Officer or Officers, Person or Persons whatsoever, to whom it doth or shall appertain, to execute any Order or Orders made or to be made concerning Quarentine, or the Prevention of Infection, and notified as aforesaid, or to see the same put in Execution, shall be guilty of any wilful Breach or Neglect of his or their Duty in that Behalf, every such Officer and Person so offending shall forfeit his Office or Employment in the Customs, or any other Office or Employment, and shall become from thenceforth incapable to hold or enjoy the same, or to take a new Grant thereof, and forfeit the Sum

of

of One hundred Pounds, One Moiety thereof to the King, His Heirs, and Successors, and the other Moiety to him or them who shall or will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, Edinburgh, Dublin, or in the proper Courts of the Isles of Guernsey, Jersey, Alderney, Sark, or Man, respectively; and if any such Officer or Person shall embezzle, or shall knowingly and willingly damage any Goods performing Quarentine under his Direction, he shall be liable to pay Treble Damages, and Full Costs of Suit.

and if he embezzle any Goods, to pay Treble Damages, and Full Costs.

And whereas certain Species of Goods and Merchandizes are more especially liable to retain Infection, and may be brought from Places infected into other Countries, and from thence imported into His Majesty's Dominions in Ships not obliged to perform Quarentine; be it enacted by the Authority aforesaid, That all such Goods and Merchandizes as are or shall be particularly specified for that Purpose, in any Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection, as aforesaid; which shall be imported into any of His Majesty's Dominions, from any foreign Country or Place, in any Ship or Vessel whatsoever, shall be subject and liable to such Order or Orders made or to be made concerning Quarentine, and the Prevention of Infection as aforesaid.

Such Goods as shall be specified, to be liable to the Orders for Quarentine.

And it is hereby further enacted, That after Quarentine shall have been duly performed by any Ship or Vessel, Person or Persons, obliged to perform Quarentine, according to such Order or Orders made as aforesaid, and this Act, and upon Proof to be made by the Oaths of the Master, or other Person having Charge of such Ship or Vessel, and of Two of the Persons belonging to such Ship or Vessel, or upon Proof to be made by the Oaths of Two or more credible Witnesses, before the Customer, Comptroller, or Collector of the Port where such Quarentine shall be performed, or the next Port thereunto, or before any of their Deputies, or any Justice of the Peace living near to such Port, or where such Quarentine shall have been performed, within any of the said Isles of Guernsey, Jersey, Alderney, Sark, or Man, before any Two Jurats or Magistrates of any of the said Isles respectively (which Persons are hereby authorized and required to administer such Oath) that such Ship or Vessel, and all and every such Person and Persons respectively, have duly performed Quarentine as aforesaid; and that the Ship or Vessel, and all and every such Person and Persons, are free from Infection; and after producing a Certificate to that Purpose, signed by the chief Officer who superintended the Quarentine of the said Ship, then

On Proof on Oath that the Vessel hath performed Quarentine, that the same is free from Infection; and a Certificate from the Officer superintending the Quarentine, &c.

then and in the said respective Cases, such Customer, Comptroller, or Collector, or any of their Deputies, together with the said Justice of the Peace, or such Jurats or Magistrates as aforesaid respectively, are hereby required to give a Certificate thereof; and thereupon such Ship or Vessel, and all and every such Person and Persons, so having performed Quarentine, shall be liable to no further Restraint or Detention upon the same Account, for which such Ship or Vessel, Person or Persons, shall have performed Quarentine as aforesaid.

the Ship and Men to be discharged.

And it is hereby further enacted, That the Officer before whom such Oath shall be made, and by whom such Certificate shall be given, shall, for such respective Oath and Certificate, demand or take no Fee or Reward whatsoever.

No Fee to be taken for the Oath or Certificate.

Provided nevertheless, and it is hereby enacted, That all Goods, Wares, and Merchandizes, liable to Quarentine, as aforesaid, shall be opened and aired in such Place or Places, and for such Time, and in such Manner, as shall be directed by His Majesty, His Heirs, or Successors, by such Order or Orders to be made as aforesaid; and after such Orders shall have been duly complied with, and a Certificate thereof given by the chief Officer appointed to superintend the Quarentine and Airing of such Goods, Wares, and Merchandizes, and Proof shall be made thereof, by the Oaths of Two or more credible Witnesses, before the Customer, Comptroller, or Collector of the Port, lying next to such Place or Places where such Goods, Wares, or Merchandizes, shall have been opened and aired as aforesaid, or any of their Deputies, or any Justice of the Peace living near the same, or before any Two Jurats or Magistrates of the said Isles of Guernsey, Jersey, Alderney, Sark, or Man, respectively (who are hereby authorized and required to administer such Oath) upon Certificate and Return of such Proof by such Customer, Comptroller, or Collector, or any of their Deputies, or such Two Jurats or Magistrates, as aforesaid (who are hereby respectively required to make such Certificate and Return to the Commissioners appointed for the Management of the Customs of Great Britain or Ireland, or to the Governor or Commander in Chief, being upon the Place, in the Isles of Guernsey, Jersey, Alderney, Sark, or Man, respectively) such Goods, Wares, and Merchandizes, shall be forthwith discharged from any Restraint or Detention upon the same Account, by Order of the said Commissioners, or any Two of them, or of the said Governor or Commander in Chief of any of the said Isles as aforesaid, respectively; for every of which Oath, Certificate, and Order, no Fee or Reward whatsoever shall be demanded or taken.

Orders to be complied with for the airing of Goods; and on Certificate and Proof on Oath, that the same have been complied with,

the Goods to be discharged.

Provided always, and be it enacted, That if any Officer or other Person shall demand or take any Fee or Reward whatsoever for any such Oath, Order, or Certificate, to be administered or made in pursuance of this Act, every Person so offending shall forfeit the Sum of One hundred Pounds, One Moiety thereof to His Majesty, His Heirs, and Successors, and the other Moiety to him or them who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, Edinburgh, Dublin, or in the proper Courts of Guernsey, Jersey, Alderney, Sark, or Man respectively, in which Case Treble Costs shall be allowed to either Party as in other Cases.

Officer demanding a Fee for such Oath or Certificate, to forfeit 100 *l.*

And be it further enacted by the Authority aforesaid, That if any Officer or other Person appointed to see Quarentine duly performed, or any Person placed or appointed as a Watchman upon any House, Lazaret, Ship, or other Place, for Performance of Quarentine, in pursuance of this Act, shall desert from their Duty when employed on the said Business of Quarentine, or shall knowingly and willingly permit or suffer any Person, Ship, Goods, or Merchandizes, to depart or be conveyed out of such House, Lazaret, Ship, or other Place respectively appointed for Performance of Quarentine, unless in such Cases, and by such Licence, as are or shall be directed or permitted by some Order or Orders made or to be made as aforesaid; or if any Person directed as aforesaid to give a Certificate of a Ship's having duly performed her Quarentine or Airing, shall knowingly give a false Certificate; then, and in every of the said Cases, every such Officer, and Persons so offending, shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Superintendant of the Quarentine, or Watchman, neglecting their Duty,

or Officer giving a false Certificate, to suffer Death.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall knowingly or wilfully conceal from the Officers of Quarentine, or shall clandestinely convey any Letters, Goods, Wares, or Merchandizes from any Ship under Quarentine, or liable to perform Quarentine, by any such Order to be made as aforesaid, or from any Lazaret or other Place where Goods shall be performing Quarentine, every such Person so offending shall suffer Death, as in Cases of Felony, without Benefit of Clergy.

Persons concealing or clandestinely conveying Letters or Goods from any Ship under Quarentine, or from any Lazaret, to suffer Death.

And whereas it is notorious that, notwithstanding the many good Laws made to prevent the clandestine Importation of customable and prohibited Goods and Merchandizes, a pernicious Trade of that Kind is still carried on, for the most part in open Boats or Vessels of small Burthen, which privately and in the Night put into Creeks and secret

Places on the Coast, thereby escaping the Observation of the Officers of the Customs, which Practices may prove highly detrimental to the Safety of these Kingdoms during a Time of Infection; for Prevention thereof, be it enacted by the Authority aforesaid, That when any Part of Great Britain, Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, or Man, or France, Spain, Portugal, or the Low Countries, shall be infected with the Plague, it shall and may be lawful to and for His Majesty, His Heirs, and Successors, by his or Their Proclamation, to prohibit and restrain all Small Boats and Vessels, under the Burthen of Twenty Tons, from sailing or passing out of any Port or Place of Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark, and Man, or any of them, until Security be first given by the Master of every such Boat or Vessel respectively, to the Satisfaction of the principal Officer of the Customs, or the chief Magistrate of the Port or Place from whence such Boat or Vessel shall sail, by Bond taken to the King, His Heirs, or Successors, with sufficient Sureties, in the Penalty of Three hundred Pounds, with Condition that if such Boat or Vessel shall not go to, or touch at, any Country, Port, or Place, to be mentioned for that Purpose in such Proclamation; and if the Master, or other Person, having Charge of such Boat or Vessel, and all and every Mariner and Mariners, Passenger and Passengers, going in such Boat or Vessel, shall, during the Time aforesaid, not go on Board any other Ship or Vessel at Sea; and if such Master, or other Person, having Charge of such Boat or Vessel, shall not permit or suffer any Person or Persons to come on Board such Boat or Vessel at Sea from any other Ship or Vessel, and shall not, during the Time aforesaid, receive any Goods and Merchandizes whatsoever out of any other Ship or Vessel, then such Bond shall be void, or to such Effect; for the making of which Bond no Fee or Reward whatsoever shall be taken; and in case any Boat or Vessel for which such Security shall be required by such Proclamation, shall set sail or pass out of any Port or Place of Great Britain or Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, and Man, or any of them respectively, before such Security be given as aforesaid, every such Boat or Vessel so sailing or passing out of any Port or Place, contrary to the true Intent and Meaning of this Act, together with her Tackle, Apparel, and Furniture, shall be forfeited to the King, His Heirs, and Successors, and shall and may be seized, sued for, and recovered in His Majesty's Court of Exchequer at Westminster, Edinburgh, or Dublin, or in the mayor Courts of the Isles of Guernsey, Jersey, Alderney,

During the Infection in the Places herein mentioned, Small Vessels to give Security, not to touch at any Country which shall be mentioned in a Proclamation for that Purpose.

Vessels sailing without giving such Security to be forfeited;

ney, Sark, or Man respectively, to the Use of His Majesty, His Heirs, and Successors; and the Master of, and every Mariner sailing in, any such Boat or Vessel, being thereof lawfully convicted upon his or their Appearance or Default, upon the Oath or Oaths of One or more credible Witness or Witnesses, by One or more Justice or Justices of the Peace where such Offender shall be found (which Oath such Justice or Justices of the Peace are hereby impowered and required to administer) shall forfeit the Sum of Twenty Pounds; One Moiety thereof to the Informer, the other Moiety to the Poor of the Parish where such Offender shall be found; the same to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or the Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, as aforesaid; and for want of sufficient Distress, every such Offender shall by such Justice or Justices be committed to Prison, there to remain without Bail or Mainprize, for the Space of Three Months; and in case any such Offender shall be found in any of the said Isles of Guernsey, Jersey, Alderney, Sark, or Man, and shall be lawfully convicted of such Offence in any Action or Suit to be founded on this Act, in the proper Court of any of the said Isles where he shall be so found, such Offender shall forfeit the Sum of Twenty Pounds, One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish or Place where such Offender shall be found; and in Default of paying such Penalty, shall suffer Imprisonment, without Bail or Mainprize, for the Space of Three Months.

and the Master and Crew to forfeit 20 *l.*

And, to the end that all Persons may know how to demean themselves in the Premisses, be it further enacted by the Authority aforesaid, That when and as often as His Majesty, His Heirs, or Successors, shall make any Order or Orders concerning Quarentine, and the Prevention of Infection, and notify the same by Proclamation, or cause the same to be published in the London Gazette, as aforesaid; such Proclamation, or Order or Orders in Council, as aforesaid, shall be publickly read upon the next Sunday on which Divine Service shall be performed after the Receipt of the same, and the First Sunday in every Month afterwards (during the Time such Orders shall continue in Force) immediately after the Prayers, in all Parish Churches, and other Places set apart for Divine Worship, within such Counties and Places as shall be specified for that Purpose in such Proclamation or Orders respectively.

Orders concerning Quarentine, to be read in all Churches.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this

General Issue.

this present Act, the Defendant or Defendants in such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of the said Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be Nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgement shall have been given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall

Treble Costs.

and may recover Treble Costs, and have the like Remedy for the same, as the Defendant or Defendants hath or have in other Cases by Law.

Limitation of Attainder of Felony on this Act.

Provided always, and it is hereby enacted, That no Attainder of Felony, by virtue of this Act, shall extend to work any Corruption of Blood, or Forfeiture of any Goods, Chattles, Lands, Tenements, or Hereditaments.

Commencement of this Act.

And it is hereby further enacted by the Authority aforesaid, That this Act, and the several Clauses and Provisions therein contained, shall commence and take Effect from and after the First Day of March, One thousand seven hundred and fifty four.

FINIS.

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno vicesimo sexto

Georgii II. Regis.

An Act for the more easy and speedy Recovery of Small Debts within the Borough of *Boston*, and *Skirbeck Quarter*, and the Parishes of *Boston* and *Skirbeck*, in the County of *Lincoln*.

WHereas the Borough of Boston in the County of Lincoln is an ancient Corporation, as well by Prescription as Charter, which together with the District called Skirbeck Quarter, and other Places within the Parish of Skirbeck, intermixed with, and adjoining to the said Borough, is a considerable Sea-port and Market Town, having a great and extensive Trade and Commerce carried on therein: And whereas the Mayor and Justices of the said Borough have usually held a Court of Record, for the Trial of Civil Actions, commonly called The Court of Pleas for the Borough of *Boston*: And whereas the Proceedings of the said Court being by Means of the legal Forms thereof liable to be made expensive and dilatory, many unjust and ill-disposed Persons do often contract small Debts, and afterwards presuming on the Discouragements which Creditors lie under in suing for such Debts, although well able, do refuse to pay the same, to the great Detriment of Trade, and Encouragement of Fraud and Dishonesty: For Remedy thereof, and to the Intent that a more easy and speedy Method may be provided for the Recovery of Small Debts within the said Borough of Boston, Skirbeck Quarter, and Parishes Preamble.

of Boſton and Skirbeck: May it pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Mayor and Aldermen of the ſaid Borough of Boſton, or any Three of them, the Mayor for the time being, or his Deputy being One, and they are hereby impowerdd and required to meet at the Town-hall, or ſome other convenient Place within the ſaid Borough of Boſton, on the Twenty fourth Day of June, and the Twenty fourth Day of December, One thouſand ſeven hundred and fifty three, and on the Twenty fourth Day of June, and the Twenty fourth Day of December, in every future Year, not being Sunday, or on ſome other Day within Seven Days before the ſaid ſeveral Twenty fourth Days of June and December, and then and there to nominate and aſſign Forty eight of the moſt ſubſtantial and diſcreet Gentlemen, Merchants, Tradeſmen, and Houſholders, reſiding and inhabiting within the ſaid Borough of Boſton, Skirbeck Quarter, and the Pariſhes of Boſton and Skirbeck, to be Commiſſioners for the Six Calendar Months next after ſuch Nomination, for the Purpoſes hereafter mentioned; and the Common Clerk of the ſaid Borough, ſhall within Three Days after the ſaid Nomination, cauſe a Liſt of the ſaid Commiſſioners to be affixed on the Town-hall of the ſaid Borough, in ſome conſpicuous Place; and the Mayor of the ſaid Borough for the time being, the Recorder, or in his Abſence, the Deputy Recorder of the ſame for the time being, and the ſaid Forty eight Commiſſioners ſo appointed, and ſo from time to time to be appointed as aforeſaid, ſhall be, and are hereby declared and appointed Commiſſioners to hear and determine all Matters of Debt and Detinue as are hereafter mentioned; and are hereby conſtituted a Court of Juſtice, by the Name of The Court of Requeſts for the Borough of *Boſton*, *Skirbeck Quarter*, and Pariſhes of *Boſton* and *Skirbeck*; and the Clerk of the ſaid Court hereafter appointed, ſhall cauſe Eight of the ſaid Forty eight Commiſſioners to be ſummoned by the Beadle of the ſaid Court, hereafter appointed, by Rotation, to attend the Buſineſs of the ſaid Court for each Calendar Month within every Half-year; and the ſaid Mayor, Recorder, or Deputy Recorder, and the ſaid Eight Commiſſioners, or any Three of them, ſhall, and are hereby impowered and required to meet on every Saturday in the Town-hall of the ſaid Borough, or ſome other convenient Place to be appointed by the Mayor and

Mayor and Aldermen of *Boſton* to meet half yearly, to nominate Commiſſioners

Liſt to be affixed on the Town-hall.

Stile of the Court.

Time and Place of Commiſſioners Meeting.

and Aldermen of the ſaid Borough for the time being, then and there to ſit and hold the ſaid Court, to hear and determine ſuch Cauſes as are hereafter mentioned, to give Judgement, and to make Orders and Decrees therein, and to award Execution thereupon, with Coſts againſt the Body or Goods of the Defendant; and further to do according to Law, Equity, and good Conſcience, and as hereafter is more eſpecially ordered and directed; and if the ſaid Commiſſioners ſhall happen to be equally divided upon any Queſtion which may come before them, the Mayor, if preſent, or in his Abſence, the Recorder, or Deputy Recorder, or in their Abſence, the Commiſſioner preſent who ſhall be the Firſt upon the Liſt, ſhall have the caſting Vote.

Who ſhall have the caſting Vote, in caſe of an Equality.

And be it further enacted by the Authority aforeſaid, That from and after the Twenty fourth Day of June, One thouſand ſeven hundred and fifty three, it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, who hath, have, or may have, any Debt or Debts, Thing or Things, above the Value of Two Shillings and Six Pence, and under the Value of Forty Shillings, due or owing to him, her, or them, in his, her, or their Right, or as Executor or Adminiſtrator by or from any Perſon or Perſons inhabiting or reſiding within the ſaid Borough of Boſton, Skirbeck Quarter, or Pariſhes of Boſton or Skirbeck, or uſing or frequenting the Markets thereof, or uſually buying or ſelling, or ſeeking a Livelihood therein, or ſailing or navigating to and from the Port and Haven of Boſton aforeſaid, to apply to the Clerk of the ſaid Court of Requeſts, who ſhall immediately make out and deliver to the Beadle, a ſhort Summons in Writing, under his Hand, directed to ſuch Debtor or Debtors, expreſſing the Sum or Thing demanded of him, her, or them, the Party demanding, and the particular Cauſe of ſuch Demand; and requiring him, her, or them, to appear at a certain Time and Place before the Commiſſioners of the ſaid Court, to anſwer the ſaid Complaint; and the ſaid Beadle ſhall forthwith cauſe ſuch Summons to be ſerved on ſuch Debtor or Debtors, either perſonally, if it can well be done, or elſe by leaving the ſame at the Dwelling-houſe, Lodging, Place of Abode, Shop, or Stall of ſuch Debtor or Debtors, being within the Limits of the Juriſdiction of the ſaid Court, with his, her, or their Servant, or other Perſon belonging to him, her, or them, at leaſt Three Days before the Day on which he, ſhe, or they ſhall be required to appear; and that upon Proof made that ſuch Summons hath been duly ſerved, the ſaid Commiſſioners, or any Three or

Debts above the Value of 2 s. 6 d. and under 40 s. made be ſued for in this Court.

Method of proceeding in the Recovery of a Debt.

more of them, being a Majority of the said Court, are hereby impowered and required to make due Inquiry concerning the said Demand or Plaint, and make such Orders and Decrees therein, and pass such final Judgement or Sentence thereupon, and award Costs of Suit, as to them shall seem most agreeable to Equity and good Conscience; and for the better Discovery of the Truth, and the more solemn Determination of the Causes depending in the said Court, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to administer an Oath to either of the Parties, and to the Witness or Witnesses produced by either of them, and also to any other Person or Persons whose Evidence shall seem necessary towards the hearing or determining any of the said Causes, or making any Order or Decree therein, or for any other Purposes requisite to the Execution of this Act.

Penalty on Debtors Non-appearance.

And be it further enacted by the Authority aforesaid, That if such Debtor or Debtors, who shall have been duly summoned, as aforesaid, shall not appear before the Commissioners of the said Court at the Time and Place mentioned in the said Summons, then it shall and may be lawful to and for the said Commissioners, or any Three or more of them, being a Majority of the said Court, after due Proof made upon Oath of the Service of the said Summons, in manner aforesaid, to hear the said Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree, or Judgement, as to them shall seem most agreeable to Equity and good Conscience; and assign and appoint a certain Time and Place for such Debtor or Debtors, Defendant or Defendants, to be and appear before the said Commissioners, or any Three or more of them, then and there to shew Cause why such Order, Decree, or Judgement, should not be made final or peremptory; and if the said Debtor or Debtors, Defendant or Defendants, after having had due Notice of such Order, Decree, or Judgement, by a Copy thereof being delivered to him, her, or them, or being left at his, her, or their Dwelling-house, Lodging, Place of Abode, Shop, or Stall, being within the Limits of the Jurisdiction of the said Court, with his, her, or their Servant, or some other Person belonging to him, her, or them, shall not appear at such Time and Place, and shew such Cause as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, being a Majority of the said Court, to make such Order, Decree, or Judgement, final and peremptory; and to award to the Plaintiff or Plaintiffs such reasonable Costs

of Suit, as ſhall ſeem moſt agreeable to Equity and good Conſcience.

Penalty on Plaintiffs Non-appearance, or not making Proof of their Demand.

And be it further enacted by the Authority aforeſaid, That, if upon the Day of the Return of the Summons, or at any Continuation or Adjournment thereof, the Plaintiff or Plaintiffs ſhall not appear, or, appearing, ſhall not make due Proof of his, her, or their Plaint or Demand, to the Satisfaction of the Court, but become Nonſuit, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, being a Majority of the ſaid Court, to award to the Defendant or Defendants reaſonable Coſts, and to order and oblige the Plaintiff or Plaintiffs to pay the ſame by ſuch Ways and Means as are herein provided for the Recovery of Debts ordered and decreed by the ſaid Court.

Parties not obeying Orders of the Court;

And be it further enacted by the Authority aforeſaid, That, if either of the Parties ſhall not perform and obey ſuch Order, Decree, or Judgement, as ſhall be made by the ſaid Commiſſioners, or any Three or more of them, being a Majority of the ſaid Court, having had due Notice thereof, either by being preſent when ſuch Order, Decree, or Judgement was made, or by having a Copy thereof delivered to him, her, or them, or left at his, her, or their Dwelling-houſe, Lodging, Place of Abode, Shop, or Stall, being within the Limits of the Juriſdiction of the ſaid Court, with his, her, or their Servant, or ſome other Perſon belonging to him, her, or them, and due Proof thereof made upon Oath; it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, being a Majority of the ſaid Court, to award Execution either againſt the Body, or the Goods of the ſaid Party; and to iſſue out a Proceſs for ſuch Purpoſes, by way of Capias ad ſatisfaciendum, or Fieri facias, to the Beadle of the ſaid Court, who ſhall be thereby authorized and impowered to take ſuch Party, againſt whoſe Body Execution ſhall be awarded, being within the Limits of the Juriſdiction of the ſaid Court, and carry him, her, or them, to the Common Gaol of the ſaid Borough, there to remain until he, ſhe, or they, ſhall perform or obey ſuch Order, Decree, or Judgement, or to the full End and Expiration of Forty Days, and no longer; and alſo to levy by Diſtreſs and Sale of the Goods of ſuch Party, being within the Limits of the Juriſdiction of the ſaid Court, againſt whoſe Goods Execution ſhall be awarded, ſuch Sum or Sums of Money as ſhall be ſo ordered, decreed, and adjudged, together with the Coſts and Charges of ſuch Execution, Diſtreſs, and Sale; and where the Party, againſt whom either of the ſaid Executions ſhall be awarded,

Execution to be awarded, and the Offender to be committed, &c.

and the Sum and Coſts to be levied by Diſtreſs, &c.

awarded, and Process thereof shall issue, shall by absconding, or by secreting his, her, or their Goods, or by any other means prevent or evade the Service or Effect of the said Execution, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, being a Majority of the said Court, upon due Proof made to them by the Oath or Oaths of One or more credible Witness or Witnesses, that the Service or Effect of the said Execution had been prevented or evaded, at their Discretion, to award another Execution, and issue Process thereupon, to be served by the said Beadle in manner as is aforesaid; and in case the said Court shall, at any Time, upon the Request, and for the Ease and Convenience of the Defendant or Defendants, order, decree, or adjudge a Debt due to the Plaintiff or Plaintiffs, to be paid by several Payments, upon the First Default or Failure of any of the said Payments, so ordered, decreed, and adjudged, the said Commissioners, or any Three or more of them, being a Majority of the said Court, at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, shall and may award Execution for the whole Debt, or such Part thereof as shall remain unpaid at the Time of such Default or Failure, together with such further Costs as to them shall seem meet; to be recovered by the same Methods and Means as are herein provided for the Recovery of a Debt and Costs first decreed; the former Order, Decree, or Judgement, to the contrary notwithstanding.

Upon Failure of any of the Payments ordered, Court may award Execution for the whole Debt.

Clerk to indorse the Sum and Costs on Execution.

And be it further enacted by the Authority aforesaid, That upon every Execution that shall be awarded against the Body or Goods of any Person or Persons, the Clerk of the said Court shall indorse, or cause to be indorsed, the Sum or Sums so ordered, decreed, or adjudged, with the Costs awarded, and the Costs of the said Execution; and if the Party against whom such Execution shall be awarded, shall, before any actual Sale of the said Goods, pay, or cause to be paid, unto the Clerk or Beadle of the said Court, the said Sum or Sums so ordered, decreed, or adjudged, and the said Costs, and also the reasonable Expences and Charges, if any there be, which shall have been incurred by the serving the said Execution, to be settled and allowed by the said Commissioners, or any Three of them, the said Execution shall be superseded, and the Body or Goods of the said Party shall be discharged.

Upon Payment of the Debt and Cost, Execution to be superseded.

Attorneys and Solicitors not exempt from the Jurisdiction of the Court.

And be it further enacted by the Authority aforesaid, That no Privilege, or pretended Privilege, shall be allowed to exempt any Person liable to be summoned by virtue of this Act, from the Jurisdiction of the said Court of Requests,

queſts, on account of his being Sworn Attorney or Solicitor of any of the Courts at Weſtminſter, or of any Court whatſoever.

Beadle guilty of Neglect in his Duty, made liable to the Debt.

And be it further enacted by the Authority aforeſaid, That if the Beadle who ſhall be employed to ſerve an Execution, ſhall, by wilful or notorious Neglect or Connivance, cauſe or ſuffer the Party againſt whom ſuch Execution ſhall be awarded, to eſcape or abſcond, or the Goods of ſuch Party to be carried away or ſecreted, ſo that ſuch Execution ſhall not have its due Effect; it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, being a Majority of the ſaid Court, upon Complaint made, and due Proof thereof, upon the Oath or Oaths of One or more credible Witneſs or Witneſſes, to order the ſaid Beadle to pay the Sum or Sums of Money, for which the ſaid Execution was awarded, to the Party complaining; and to enforce the Payment thereof by the ſame Methods and Means as are herein provided for the Recovery of other Debts.

Commiſſioners to make Rules for regulating the Practice of the Court.

And be it further enacted by the Authority aforeſaid, That for the better regulating the Proceedings of the ſaid Court, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Six or more of them (whereof the Mayor, Recorder, or Deputy Recorder, ſhall be One) at any of the ſaid Courts ſo to be holden as aforeſaid, to make ſuch Rules and Orders for the better regulating the Practice of the ſaid Court, and the Method of proceeding therein, as ſhall ſeem to them moſt expedient and conducive to the Purpoſes of this Act; ſo that ſuch Rules and Orders ſhall be agreeable to Law, and according to the true Intent and Meaning of this Act; which ſaid Rules and Orders, having been ſigned by the ſaid Six or more Commiſſioners, ſhall be in full Force, and be kept and obſerved by all the Commiſſioners thereafter holding, or to hold the ſaid Court, until the ſame ſhall be repealed by the like Authority that ſhall have been made as aforeſaid.

Commiſſioners to take the Oath following, before they act.

And be it further enacted by the Authority aforeſaid, That every Commiſſioner, who ſhall be impowered to put in Execution this Act as aforeſaid, ſhall, in order to qualify himſelf to act as a Commiſſioner, and before he acts therein, take an Oath to the Effect following:

The Oath.

I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgement, hear and determine ſuch Matters and Things, which ſhall be brought before me, by virtue of an Act of Parliament, intituled, *An Act for the more eaſy and ſpeedy Recovery of*

Small Debts within the Borough of Boſton *and* Skirbeck Quarter, *and the Pariſhes of* Boſton *and* Skirbeck, *in the County of* Lincoln, without Favour, Affection, or Prejudice to either Party, or to or againſt any Perſon or Perſons whatſoever.

So help me God.

Which Oath the Clerk of the ſaid Court ſhall adminiſter in open Court, and enter a Memorial thereof in the Regiſters of the ſaid Court.

Thomas Burton appointed Clerk of the Court, with Power to appoint a Deputy.

And be it further enacted by the Authority aforeſaid, That Thomas Burton Gentleman, the preſent Town Clerk of the ſaid Borough of Boſton, ſhall be and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts during his good Behaviour in the ſaid Office; and ſhall have Power and Authority to appoint a Deputy, to be approved of by the Mayor and Aldermen of the ſaid Borough for the time being, or the major Part of them; which ſaid Clerk, or his ſaid Deputy, are hereby impowered and required to iſſue out all Summonſes, Warrants, and Precepts, and to regiſter all Orders, Decrees, and Judgements of the ſaid Court; and ſhall enter and regiſter, or cauſe to be entered and regiſtered, in proper Books to be provided by him, and kept for that Purpoſe, all the Acts and Proceedings of the ſaid Court; and whenever it ſhall happen, that the Place or Office of the Clerk of the ſaid Court ſhall become vacant, by the Death, Reſignation, or Removal, of the ſaid Thomas Burton, or any other future Clerk of the ſaid Court, the Mayor and Aldermen of the ſaid Borough for the time being, or the major Part of them, ſhall nominate and appoint another fit and able Perſon to be Clerk of the ſaid Court, during his good Behaviour.

Clerk's Duty.

Power to elect a new Clerk;

and Beadles.

And be it further enacted by the Authority aforeſaid, That the Mayor and Aldermen of the ſaid Borough of Boſton for the time being, or the major Part of them, ſhall, from time to time, nominate and appoint One or more Beadle or Beadles (to attend the ſaid Court, and to ſerve and execute all Summonſes, Warrants, Orders, Precepts, and Proceſſes, which ſhall be iſſued, ordered, or awarded, by the Authority of the ſaid Court) and to remove or diſplace the ſaid Beadle or Beadles, and nominate another or others in his or their Place and Stead, as they in their Diſcretion ſhall ſee Occaſion.

Fees of the Clerk and Beadle.

And be it further enacted by the Authority aforeſaid, That the ſeveral Fees hereafter limited and expreſſed, and no other, ſhall be taken by the Clerk and Beadle of the ſaid Court, for their ſeveral and reſpective Services in the Execution of this Act; that is to ſay,

For

For every Summons, to the Clerk, Six Pence.

For the Service of ſuch Summons, and attending the Court with the Return, to the Beadle, Six Pence.

For entering the Cauſe, to the Clerk, Six Pence.

For every Hearing, to the Clerk, Six Pence.

For every Order, to the Clerk, Six Pence.

For entering the ſame, and making a Copy, to the Clerk, Six Pence.

For a Nonſuit when the Plaintiff doth not appear, to the Clerk, Six Pence.

For the Service of every Order againſt a Party not in Court, and attending with the Return, to the Beadle, Six Pence.

For paying Money into Court, to the Clerk, Six Pence.

For acknowledging Satisfaction, to the Clerk, Six Pence.

For an Execution againſt the Perſon or Goods, to the Clerk, Six Pence.

For the Service thereof, to the Beadle, One Shilling.

For an Attachment for Contempt, to the Clerk, One Shilling.

For ſerving the ſame, to the Beadle, One Shilling.

For every Search of the Books, to the Clerk, Two Pence.

A Table of which Fees ſhall, from time to time, be hung up by the Clerk of the ſaid Court in ſome conſpicuous Part of the ſaid Court or Place where the ſaid Commiſſioners ſhall meet; ſo that all Perſons who ſhall attend the ſaid Court may ſee and read the ſame.

Penalty on Clerk or Beadles taking illegal Fees.

And be it further enacted by the Authority aforeſaid, That if the ſaid Clerk of the ſaid Court for the time being, or his Deputy, or the ſaid Beadle or Beadles, or any of them, or any Perſon employed by or under them, or any of them, ſhall take or demand any greater or other Fee or Fees than as above-mentioned, upon Complaint and due Proof thereof, upon the Oath or Oaths of One or more credible Witneſs or Witneſſes made in open Court, the ſaid Commiſſioners, or any Three or more of them, being a Majority of the ſaid Court, ſhall, and are hereby impowered and required to puniſh ſuch Offender, by Fine not exceeding Five Pounds, nor leſs than Ten Shillings, for One Offence, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any Three or more of them, rendering to the Owner the Overplus (if any) after the Charges of ſuch Diſtreſs and

and Sale are deducted; which Fine and Fines, when recovered, shall be paid to the Mayor of the said Borough of Boston, in like Manner as other Fines within the said Borough are and have usually been paid; and if the said Clerk of the said Court for the time being shall be guilty of any notorious Misbehaviour, either by continually or frequently taking or demanding greater or other Fees than as aforesaid, or any otherwise upon Complaint made, the said Commissioners, or any Three or more of them, shall in open Court hear and inquire into the Matters of the said Misbehaviour, by the Oath or Oaths of One or more credible Witness or Witnesses, and shall (if they, being a Majority of the said Court, shall think fit) certify the Particulars of the said Misbehaviour, with the Proofs thereof, unto the Mayor of the said Borough for the time being, who shall lay the same before the Aldermen of the said Borough for the time being; and the said Mayor and Aldermen shall take the same into Consideration, and shall and may, according to their Discretion, suspend or remove the said Clerk so offending from his said Office, and nominate and appoint another fit and able Person to exercise the said Office in his Place and Stead.

Guilty of notorious Misbehaviour, Court may inquire into the same, &c.

And be it further enacted by the Authority aforesaid, That if any of the Commissioners of the said Court for the time being, shall be a Party to, or interested in, any Cause depending in the said Court, such Person shall not be capable of acting as a Commissioner in the hearing or determining the said Cause, or making any Order, Decree, or Judgement therein; and if the Clerk of the said Court, or the Beadle or Beadles thereof, or any of them for the time being, shall be a Party to, or interested in, any Cause depending in the said Court, such Clerk or Beadle shall not exercise his said Office in the said Cause, or any Thing relating thereto; but the said Commissioners, or any Three or more of them, being a Majority of the said Court, shall and may appoint another Person to exercise the Office of such Clerk or Beadle respectively, in all Things relating to such Cause; and no Clerk or Beadle of the said Court, so long as he continues in his Office, shall be capable of being nominated for, or acting as a Commissioner of the said Court.

Commissioners, Clerks, and Beadles, not to act in Causes where interested.

Clerk or Beadle not to act as a Commissioner.

And, for the more effectual Establishment of the said Court, and that the Commissioners thereof may be vested with a proper Authority, and be free and exempt from Insult and Abuse, be it enacted by the Authority aforesaid, That if any Person shall contemptuously and wilfully insult or abuse all or any of the Commissioners of the said Court

Penalty of insulting the Commissioners during their sitting in Court.

Court for the time being, during their sitting in the said Court, or wilfully prevent or hinder them, or any of them, from proceeding in the Business of the said Court, it shall and may be lawful for the Beadle of the said Court, by Order of the said Commissioners, or any Three or more of them, being a Majority of the said Court, to take such Person so offending into Custody, and carry him or her before the Mayor, or any other Justice or Justices of the Peace for the said Borough; and upon the said Insult, Abuse, or other Misbehaviour, as aforesaid, being duly proved by the Oath or Oaths of One or more credible Witness or Witnesses, the said Mayor, Justice or Justices, shall punish the said Offender, either by Fine, not exceeding Twenty Shillings, to be levied by Distress and Sale of the Goods of the said Offender, or Imprisonment in the Common Gaol of the said Borough, for any Space of Time, not exceeding Ten Days: And where the said Mayor, Justice or Justices, shall have imposed a Fine on such Offender, and there shall not be found sufficient Goods of such Offender, whereof such Fine can be levied, the said Mayor, Justice or Justices, shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, commit the said Offender to the Common Gaol of the said Borough, there to remain for any Space of Time, not exceeding Ten Days: And the said Fines, so to be levied as aforesaid, shall, when levied, be paid and applied in like Manner as the Fines herein before-mentioned are directed to be paid and applied: And the said Clerk of the said Court for the time being, shall, from time to time, cause a true Copy of this Clause to be fixed up in the Court or Place where the said Commissioners shall meet, in some conspicuous Part thereof, where the Persons resorting to the said Court may see and read the same.

Copy of this Clause to be fixed up in the Court.

And be it further enacted by the Authority aforesaid, That if in any Action of Debt, or Action on the Case, for the Recovery of any Debt or Thing, to be sued against any Person or Persons, as aforesaid, in any of the King's Courts at Westminster, or elsewhere, out of the said Court of Requests, the Plaintiff or Plaintiffs shall declare for any Sum of Money, not amounting to Forty Shillings, the Defendant may plead generally, in Bar of such Action, that at the Time of commencing such Action the said Defendant was an Inhabitant of, or resiant within, either of the said Parishes of Boston and Skirbeck, and was liable to be warned or summoned before the said Court of Requests, without pleading any other Matter specially; and if the Plaintiff or Plaintiffs in any such Action shall

Defendant sued elsewhere for a Debt, recoverable in this Court, &c.

declare for any Sum amounting to Forty Shillings, or more, the Defendant may plead generally, over and above such Matters as aforesaid, that the Defendant was not, at the Time of commencing such Action, indebted to the Plaintiff or Plaintiffs in any Sum or Sums of Money, amounting to Forty Shillings, without pleading any other Matter specially; and unto the said Pleas the Plaintiff or Plaintiffs shall or may reply generally, and deny the Matter pleaded as aforesaid: And if the Plaintiff or Plaintiffs be Nonsuited, or discontinue his or their Action, or Verdict pass, or Judgement on Demurrer be given, against him or them, the Defendant shall have Double Costs; or if the Judge, who shall try such Cause upon any such Plea or Pleas as aforesaid, shall not, in open Court, certify on the Back of the Record, that there was a probable Cause of Action for some Money or Thing above the Value of Forty Shillings, or that the said Cause is not within the Jurisdiction of the said Court of Requests, or that an Act of Bankruptcy principally came in question, the Plaintiff or Plaintiffs shall not recover, but be Nonsuited; and the Defendant shall have Double Costs.

to recover Double Costs, unless the Judge certify there was a probable Cause of Action for above 40 s.

Provided always, That it shall and may be lawful to and for the Plaintiff or Plaintiffs in such Action, afterwards to prosecute the said Defendant or Defendants for the Recovery of the said Debt in the said Court of Requests; any thing herein before contained to the contrary notwithstanding.

Plaintiff may prosecute after for the Debt in this Court.

And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt not amounting to the Sum of Forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person or Persons subject to the Jurisdiction of the said Court of Requests as aforesaid, in any other Court whatsoever: And if any Action or Suit shall be brought in any other Court, for any Matter concerning which any Order, Decree, or Judgement, shall have been made or given in the said Court of Requests, such Order, Decree, or Judgement, being pleaded, or given in Evidence, on the General Issue of such Action or Suit, shall, as to the Matters contained therein, be an effectual Bar to the Plaintiff or Plaintiffs in such Action or Suit; and the Registers, or Books of Entry, of the said Court, or true Copies thereof, proved by the Oath or Oaths of One or more credible Witness or Witnesses, shall be deemed legal Evidence of the Acts and Proceedings of the said Court; and no Suit which shall be commenced in the said Courts of Requests, in pursuance of this Act, nor any Proceeding

Debts not amounting to 40 s. and recoverable in this Court, not sueable elsewhere.

Judgement of the Court to be a Bar to Proceedings brought in any other Court, &c.

Proceeding therein, shall or may be removed into any superior Court; but the same shall be final and conclusive to all Intents and Purposes. Suits not removeable to a superior Court.

Provided always, and be it enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend to any Debt for any Rent upon any Lease or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in question; nor to any Debt, Matter, or Thing, that shall or may arise, or in any wise relate to, or concern, any Cause of Testament or Matrimony, or any thing concerning, or properly belonging to, the Ecclesiastical Court; nor for any Debt for any Money or Thing won at, or by Means of, any Horserace, Cock-match, or any Kind of Gaming or Play; nor for any Forfeiture upon any penal Statute or Bye-law; nor to any Debt whereof there has been no Contract nor Undertaking to pay, within Six Years before the taking out of the Summons, although the same shall be under the Value of Forty Shillings. Debts which are not recoverable in this Court.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, in making Oath, or giving Evidence, in any Cause or Business depending or transacted in the said Court of Requests, pursuant to this Act, shall commit wilful and corrupt Perjury, such Person or Persons, being duly convicted thereof, shall incur and suffer such Pains and Penalties, which any other Person or Persons, convicted of wilful and corrupt Perjury, is or are subject and liable to by the Laws and Statutes of this Realm. Penalty on Persons committing wilful Perjury, &c.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done or to be done in pursuance of this Act; such Action or Suit shall be brought or commenced within Three Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereon; and if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his, her, or their Action or Suit; or if upon Verdict or Demurrer, Judgement shall be given against the said Plaintiff or Plaintiffs; the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

Publick Act. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and all other Persons whatsoever, without the same being specially pleaded.

FINIS.

Anno Regni
GEORGII II.

REGIS

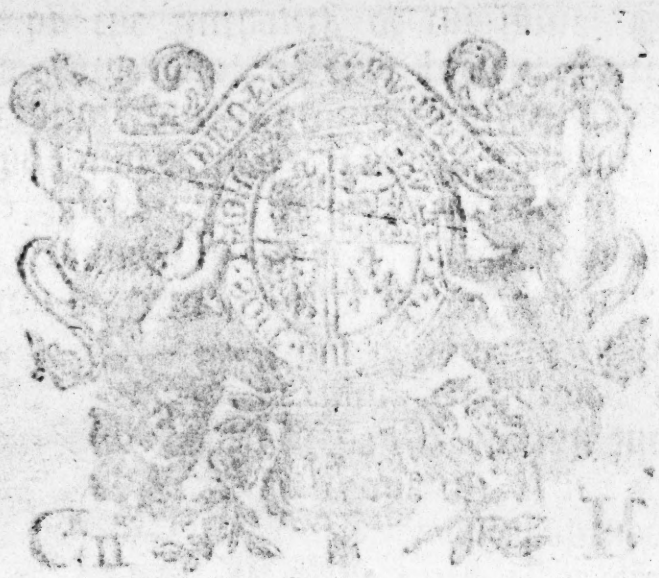
Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



Anno vicesimo sexto

Georgii II. Regis.

An Act for opening the Port of *Exeter* for the Importation of Wooll, and Woollen Yarn, from *Ireland*.

WHEREAS the Opening of the Port of Exeter for the Importation of Wooll, and Woollen Yarn, from Ireland, will be of great Utility and Advantage to the Woollen Manufactures in the City of Exeter, and also in the Neighbourhood thereof, by rendering the Conveyance of those Materials more easy, cheap, and expeditious, and may also be a Means of increasing the Importation of Wooll, and Woollen Yarn, from Ireland, into this Kingdom: May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of June, One thousand seven hundred and fifty three, it shall and may be lawful for any Person or Persons to import into the Port of Exeter, any Wooll, or Woollen or Bay Yarn, Wooll-fells, Shortlings, Mortlings, Wooll-flocks, and Worsted Yarn, from Ireland; any Act or Acts of Parliament to the contrary in any wise notwithstanding. Preamble.

After 1 *June*, 1753, Wooll, &c. may be imported from *Ireland*, into the Port of *Exeter*;

Under the Regulations and Restrictions, enacted

Provided always, and be it enacted by the Authority aforesaid, That all such Importations of Wooll, and Woollen or Bay Yarn, Wooll-fells, Shortlings, Mortlings, Wool-flocks, and Worsted Yarn, from Ireland, into the said Port of Exeter, shall be made from such Ports only, and under the same Restrictions and Regulations in all respects, as Wooll or Woollen Yarn is now by Law permitted to be imported into the several Ports of Bideford, Barnstaple, Minehead, Bridgwater, Bristol, Milford-Haven, Chester, Liverpoole, Lancaster, and Great Yarmouth, or any of them, and in the same Manner, to all Intents and Purposes, as if the said Port of Exeter had been particularly named for the Importation of the said Goods, in an Act made in the Tenth and Eleventh Years of the Reign of the late King William the Third (intituled, An Act to prevent the Exportation of Wooll out of the Kingdoms of *Ireland* and *England* into Foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of *England*) or in any other Act or Acts of Parliament whatsoever.

by Act 10 and 11 *Will.* III.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

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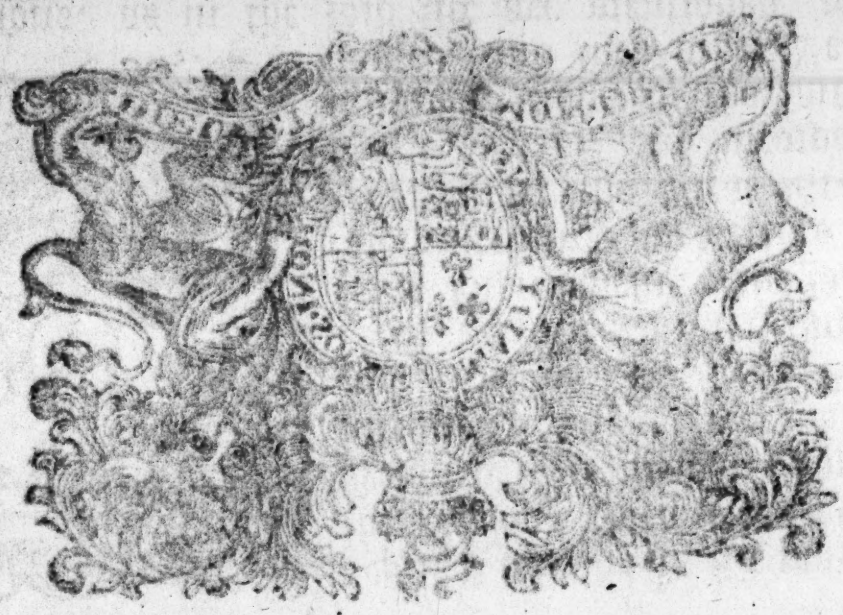

Anno vicesimo sexto

Georgii II. Regis.

An Act to explain, amend, and render more effectual an Act made in the Twenty third Year of the Reign of His present Majesty, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*; and for regulating the said Fishery according to the Calendar now in Use, and for other Purposes therein mentioned.

WHEREAS by an Act made in the Twenty third Year of the Reign of His present Majesty, intituled, An Act for the Encouragement of the *British* White Herring Fishery, after impowering His Majesty, His Heirs, and Successors, by Letters Patent, under the Great Seal of Great Britain, to incorporate sundry Persons in the said Act named, and such other Bodies and Persons, as in the said Act are mentioned, to be One Body Politick and Corporate, by the Name of The Society of the free *British* Fishery, for the Purpose of carrying on and improving the British White Herring Fisheries; it is, amongst other Things, enacted, That for an Encouragement to such Persons as shall become Subscribers to the Stock for carrying on the said Fisheries, that

Preamble, reciting Clauses in the Act 23 *Geo.* II.

8

that the Sum of Three Pounds by the Year for each Hundred Pounds, which shall be actually employed in the said Fishery, and proportionably for any greater or lesser Sum, shall be paid to the Proprietors of the said Stock, for and during the Space of Fourteen Years from the Date of their Charter, out of the Customs, by the Receiver General of his Majesty's Customs, by equal Half-yearly Payments, provided that the said Society shall employ the Sum of One hundred thousand Pounds, at least, in the said Fisheries, within the Space of Eighteen Months after the Date of such Subscription; and it is by the said Act further provided and enacted, That such Sums as shall bona fide be contracted to be paid within Six Months, shall be deemed employed within the Sense and Meaning of the said Act, in case so much Money of the said Company as shall be sufficient to answer the said Contracts respectively, shall, at the Time of making the same, be in the Bank of England: And whereas, pursuant to the Powers by the said Act given to his said Majesty, a Society by the Name of The Society of the free *British* Fishery, hath been incorporated by Charter, bearing Date the Eleventh Day of October, One thousand seven hundred and fifty, and a very considerable Sum of Money hath been subscribed and paid in towards carrying on the Purposes of the said Act and Charter: And whereas the said Society, in the carrying on the said Fishery, did actually expend within the Term of Eighteen Months, after the Date of such Subscription, or bona fide contract to be paid within the Term of Six Months, allowed after the Expiration of such Eighteen Months, the Sum of One hundred thousand Pounds, and upwards, and actually had in the Bank of England, before the Expiration of the said Eighteen Months, Money sufficient to answer all such Contracts; but in regard the said Society had not in the Bank of England, at the respective Times of making such Contracts, Money sufficient to answer the said Contracts respectively, a Doubt hath arisen whether the said Society are, by the Words of the said Act, intitled to the Interest of Three Pounds per Cent. allowed by the said Act, for such Sum so by them expended or employed in the said Fishery: And whereas, amongst other Qualifications by the said Act made necessary for obtaining a Licence and Authority for the said Society's Busses or Vessels to proceed on the said Fishery, Oath is to be made by such Persons, as in the said Act mentioned, that it is their firm Purpose and determined Resolution, that such Busses or Vessels shall proceed either to Brassey's Sound in Shetland, and be at

the Rendezvous of the said Fishery there, on or before the Eleventh Day of June, and shall not shoot or wet their Nets before the Thirteenth Day of the said Month of June, and shall continue fishing as in the said Act directed, to the First Day of October, or shall proceed to Campbell Town in Argyllshire, and be at the Rendezvous of the said Fisheries on or before the First Day of September, and shall continue fishing to the Thirty first Day of December, unless they shall have sooner completed their Loading of Fish; which said several Nominal Days by the late Alteration made by Law, in the Supputation of Time, in these Kingdoms, will, for the Time to come, fall Eleven Days earlier in the Year than was intended by the said Act: And whereas Doubts have arisen whether the Busses or Vessels employed by the said Society in the said Fisheries, are by the said Act obliged to have on Board at their Return into Port from the said Fishery, the same Number of Hands as they are by the said Act required to have on Board at the Rendezvous of such Vessels; and also whether such Vessels are at liberty to put into Port between the Intervals of the Two Fisheries, which are called the Shetland and the Yarmouth Fisheries, in order to change their Nets, and otherwise to prepare for the Second Fishery: And whereas it is further enacted by the said recited Act, That every Buss or Vessel of the Burthen of Seventy Tons, and designed for the said Fishery, shall, on her proceeding to Sea, have on Board One Fleet of Fifty Nets, each Net to be Thirty Yards full upon the Rope, and Seven Fathoms deep, and so in Proportion for any Vessels of a greater or lesser Tonnage, and be provided with One other Fleet of Fifty like Nets, on Board a Jagger or Tender to attend the said Fishery, or left on Shore in a proper Place for the Use of such Buss or Vessel; which Nets have been found by Experience to be much too deep for the Yarmouth Fishery; Therefore for the putting an End to such Doubts, and for the further and better regulating the said Fisheries, be it enacted and declared; and it is hereby enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Society are, to all Intents and Purposes, intitled to have and receive the Interest of Three Pounds by the Year for each Hundred Pounds employed in the said Fishery, and proportionably for any greater or lesser Sum, for such Time and Term of Years, and payable in such Manner, as the said Society would have been intitled thereto,

The Society intitled to 3 *l. per Cent.* Interest on the Sums employed by them.

thereto, in case so much Money of the said Society as would have been sufficient to answer their said Contracts respectively, had, at the Time of making the same, been in the Bank of England; any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

The Oaths required to be taken, with respect to the Nominal Days appointed for the Rendezvous &c. for the Society's Vessels, to be made conformable to the Calendar now in Use.

And be it further enacted by the Authority aforesaid, That from henceforth the Oath and Oaths by the said Act required to be taken, with respect to the said several Nominal Days thereby appointed, for the Rendezvous of the said Society's Busses or Vessels, and for the Commencement and Duration of the said Fisheries, shall be varied and made conformable to the Calendar now in Use in these Kingdoms; that is to say, that the Oath to be made in Order to the procuring a Licence to proceed on the said Fishery, shall import that it is the firm Purpose and determined Resolution of the Persons making such Oath, that the Buss or Vessel, applying for Licence and Authority to proceed on the said Fishery, shall proceed Manned, Furnished, and Arroutred, in such Manner as by the said recited Act is required, and not otherwise altered by this present Act, either to Brassey's Sound in Shetland, and be at the Rendezvous of the said Fishery there, on or before the Twenty second Day of June, and shall not shoot or wet their Nets before the Twenty fourth Day of the said Month of June, and shall continue Fishing as in the said Act is mentioned, and not otherwise altered by this present Act, unless prevented by Loss of Masts or other unavoidable Accidents, to the Twelfth Day of October, or shall proceed to Campbell Town in Argyllshire, and be at the Rendezvous of the said Fisheries on or before the Twelfth Day of September, and shall continue Fishing, not being prevented as aforesaid, to the Eleventh Day of January, unless they shall have sooner completed their Loading of Fish; and that the Oath by the said Act required to be made by the respective Masters of the said Busses or Vessels, at their Return into Port, for their Discharge with respect to their having conformed to the several Days appointed by the said Act, for the Rendezvous of such Busses, or Vessels, and for the Commencement and Duration of the said Fisheries, may and shall from henceforth be varied and made conformable to the Alterations made by this present Act, in respect of such several Nominal Days.

And be it further enacted, and it is further enacted and declared by the Authority aforesaid, That the said Society shall not be intitled to have and receive the Bounty of Thirty Shillings per Ton, by the said Act given or

allowed, to Vessels employed in the said Fisheries, in respect of such Vessels as shall return into Port at the End of the said Fishery, with a less Number of Hands than such Vessel is required by the said Act to have on Board at the Rendezvous of the said Society's Vessels, unless it shall be made appear that such Number hath been reduced by Death, or that such Reduction is occasioned by Sickness or Desertion, without any Default, Fraud, or Collusion, on the Part of the said Society; and also that it shall and may be lawful for the said Busses or Vessels, between the Intervals of the said Shetland and Yarmouth Fisheries, to put into any Port of Great Britain or Ireland, for the Purpose of changing Nets, and otherwise preparing for such Yarmouth Fishery; any thing in the said Act contained to the contrary thereof, in any wise notwithstanding.

The Society not intitled to the Bounty of 30 *s. per* Ton, where the Vessel returns with fewer Hands than she is required to have on Board at the Rendezvous.

Between the Intervals of the Fisheries the Vessels may put into Port.

And it is further enacted and declared by the Authority aforesaid, That it shall and may be lawful for the said Second Fleet of Nets, by the said Act required to be on Board a Jagger or Tender, or to be left on Shore for the Use of the said Fishery as aforesaid, to be of any Depth not under Five Fathoms; and that the Certificate and Oath, by the said recited Act required to be made and taken, touching the Depth of the Fishing Nets, to be used in the said Fishery, may and shall be varied and made conformable to the Alterations by this present Act permitted to be made in respect to the Depth of such Second Fleet of Nets; any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

Second Fleet of Nets may be of any Depth, not under Five Fathoms; and the Certificate and Oath touching the same, to be conformable to the Alterations of this Act.

And whereas by an Act made in the Fifth Year of the Reign of His late Majesty King George the First, (intituled, An Act for recovering the Credit of the *British* Fishery in Foreign Parts; and for better securing the Duties on Salt) after directing that all Foreign or British Salt to be used in the curing of Fish for Exportation, shall, on being landed, and during the Intervals of the Fishing Seasons, be lodged in a Warehouse under the Lock and Key of an Officer for the Duties on Salt, as well as of the Proprietor of such Salt, it is enacted, That such Officers shall, on such Proprietors complying with certain Conditions in the said Act mentioned, deliver into the sole Custody of such Proprietor, or his Agent, all the said Salt for the curing of Fish taken during the said Fishing Season; and that at the End of every Fishing Season such Officer shall take a particular Account of the Quantities of Foreign and British Salt respectively remaining in Hand, which is to be immediately locked up in such joint Custody as aforesaid; and the

Clauses in Acts 5 *Geo.* I.

Proprietors

Proprietors of ſuch Salt, or their Agents, uſing ſuch Salt as aforeſaid, are by the ſaid Act directed as ſoon as poſſible, after the End of every Fiſhing Seaſon, to deliver an Account in Writing into the Office for the Duty on Salt in the ſaid Act mentioned, containing the Quantity of Fiſh exported, or entered and ſhipped to be exported, on which the ſaid Salt taken away after its Delivery into the ſole Cuſtody of ſuch Proprietors, or their Agents, hath been uſed or conſumed, together with Certificates by the proper Officers of the ſeveral Ports where the ſaid Fiſh were ſhipped for Exportation, verifying the ſaid Account; and by the ſaid Act a Penalty of Twenty Shillings is laid on ſuch Proprietors of Salt, or their Agents, for every Buſhel of Salt ſo taken out, which ſhall not be accounted for in the Manner therein before, or otherwiſe, as in the ſaid Act mentioned, or which ſhall not be returned, or found remaining at the End of every Fiſhing Seaſon in the Cellars or Warehouſes, as in the ſaid Act mentioned: And by another Act made in the Eighth Year of the Reign of His ſaid late Majeſty (intituled, An Act for taking off the Duty upon all Salt uſed in the curing Red Herrings, and laying a proportionable Duty upon all Red Herrings conſumed at Home only; and for aſcertaining the Cuſtoms and Exciſe payable for the Sugar Houſes in *Scotland*; and for making an Allowance for Salt loſt in any Harbour or River of this Realm; and for the better ſecuring the Duties on Salt delivered in *Scotland*) a Penalty of Ten Shillings per Buſhel is laid upon all Perſons who ſhall have received into their ſole Cuſtody any Quantity of Foreign or Britiſh Salt, Duty free, for curing of Fiſh for Foreign Markets, that ſhall not deliver to the proper Officers yearly, within Three Months after the Expiration of each reſpective Year, ſuch Accounts of the Salt received as aforeſaid, and of the Fiſh cured therewith, and exported, as the ſaid Act of the Fifth of His ſaid late Majeſty directs, together with ſuch Certificate as aforeſaid, verifying the ſaid Account: And by another Act made in the Eighth Year of the Reign of His preſent Majeſty (intituled, An Act for granting and continuing the Duties upon Salt, and upon Red and White Herrings, for the further Term of Four Years; and for giving further Time for the Payment of Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices) after reciting the ſaid Two ſeveral Acts of the Fifth and Eighth Years of the Reign of His ſaid late Majeſty, it is, amongſt other Things, enacted, That after the Twenty fourth Day of June, One thouſand ſeven hun-

8 *Geo* I.

and 8 *Geo.* II.

dred and thirty five, no Foreign Salt shall be delivered over from such joint Custody into such sole Custody as aforesaid, for curing Fish for Exportation, except such Proprietor, or his Agent, do give Security as in the said Act directed, to account for such Foreign Salt in the Terms of, and according to, the true Intent and Meaning of the said Acts of the Fifth and Eighth Years of the Reign of His said late Majesty, or to answer the several Penalties in the said Acts directed, to be recovered from the Proprietors offending against the said Acts, or either of them: And whereas the Society of the Free British Fishery have used great Quantities of Foreign Salt in the curing of White Herrings, great Part of which hath been exported, or sent to, and sold at, Foreign Markets; and the said Society, as Proprietors of such Salt, or their Agents, have, from time to time, on delivering over such Salt from such joint Custody as aforesaid, into the sole Custody of such Agents, giving such Security as by the said Act of the Eighth Year of His present Majesty is directed, touching the accounting for such Foreign Salt; but in regard that a considerable Part of such Fish hath been shipped off immediately from Sea, from on Board the respective Vessels employed in taking and curing the same, without being first brought into Port, in order to secure a better Sale at Foreign Markets, before the Arrival of the like Commodities from other Nations, the said Society, or their Agents, have not been able fully to comply with the Directions of the said Acts, touching the accounting for such Part of the said Salt, as hath been employed in the curing of such Part of the said Fish, as hath been so sent away to Foreign Markets immediately from Sea, there being no Provision in the present Laws how, and in what Manner, and by whom, the shipping of such Fish immediately from Sea for Foreign Markets shall be verified, whereby the said Society, or their Agents, who have given such Security as aforesaid, are or will become liable to be sued on their several Securities aforesaid, for the several Penalties inflicted by the said Acts of the Fifth and Eighth Years of His said late Majesty, and the said Society will, in the further Prosecution of the said Fishery, be exposed to the same Difficulty, unless some Remedy be provided in respect thereof; be it therefore enacted and declared, and it is hereby enacted and declared by the Authority aforesaid, That the Quantity of such White Herrings as have already been sent, or which hereafter shall be sent, by the said Society, or their Agents, to Foreign Markets immediately from Sea, without being first brought into Port, shall

The Quantity of such White Herrings as have been, or shall be sent to Foreign Markets, without being first brought into Port,

c

to be ascertained by the Oath of the Society's Superintendant,

shall be ascertained and made appear by the Oath of the Society's Superintendant of the said Fishery, to be made before One or more of His Majesty's Justices of the Peace, or an Officer for the Duties on Salt, who are hereby impowered and required to administer the same; and a Certificate or Certificates under the Hands of the Secretary and Accomptant of the said Society, purporting, that it appears by Letters or Accounts from the Correspondents or Agents of the said Society, to whom such Fish mentioned in such Affidavit were consigned, that such Fish have come to the Hands of such Correspondents or Agents, or otherwise that such Fish have been lost at Sea.

and the Certificate of their Secretary and Accomptant.

Such Affidavit and Certificate to be admitted as Evidence.

And it is hereby further enacted and declared by the Authority aforesaid, That such Affidavit and Certificates, shall be admitted, and taken to all Intents and Purposes, as Evidence to verify the Quantity of such Fish so already sent, or hereafter to be sent away immediately from Sea as aforesaid; any thing in the said recited Acts, or either of them, contained to the contrary thereof in any wise notwithstanding.

Vessels which shall rendezvous at *Kirkwall*, and observe all other Regulations prescribed by the recited Act, are intitled to the Bounties.

And whereas the Place appointed by the said Act for the Rendezvous of the Vessels employed in the said Fisheries, on the First Day of September, has been in many Cases very inconvenient; be it therefore enacted by the Authority aforesaid, That all Vessels built and fitted out in the Manner required by the said Act, which shall rendezvous at Kirkwall in the Orkney Islands on or before the Twelfth Day of September, and shall continue to be employed in Fishing among the Shoals of Herrings, as they move, to the Eleventh Day of January, unless the Loading of such Vessels be sooner completed, shall (in case all the other Regulations and Conditions prescribed by the said Act be observed and performed with respect to such Vessels) be intitled to the Bounties granted by the said Act in the same Manner as if such Vessels had rendezvoused at Campbell Town, in like Manner, and at the Time required by the said Act.

No Vessel obliged to carry to the latter Fishing more than One Fleet of Nets.

Provided always, That no Fishing Vessel employed in the White Herring Fishery, shall be obliged to carry to the latter Fishing more than One Fleet of Nets; any thing in the said Act to the contrary in any wise notwithstanding.

FINIS.

Anno Regni
GEORGII II.
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

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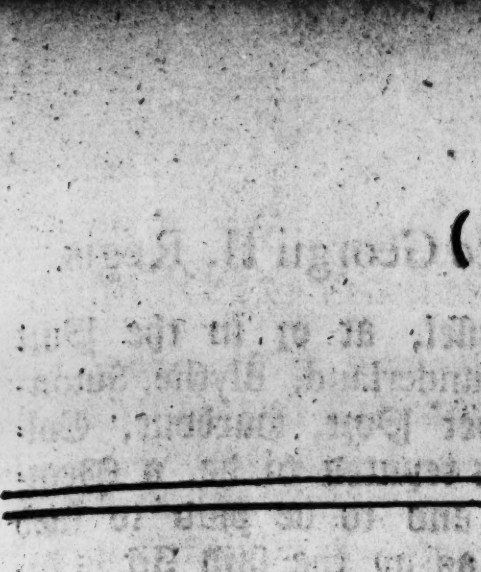
Anno vicesimo sexto

Georgii II. Regis.

An Act for enlarging the Time, and continuing the Duties granted by several Acts of Parliament for Repairs of the Piers of *Bridlington*, alias *Burlington*, in the County of *York*; and for making the said Acts more effectual.



WHEREAS by an Act of Parliament made and passed in the Eighth and Ninth Years of the Reign of His late Majesty King William the Third, intituled, An Act for the Repair of the Piers of *Bridlington*, alias *Burlington*, in the East Riding of the County of *York*, it was amongst other Things enacted, That from and after the First Day of May, One thousand six hundred and ninety seven, and before and until the First Day of May, One thousand seven hundred and four, the Duties therein mentioned should be paid for the rebuilding, repairing, and amending the said Piers; to wit, One Farthing for every Chaldron of Coals, that during the said Term should be laden on Board any

Preamble, reciting Clauses in Act 8 & 9 *Will.* III.

Ship, Hoy, Bark, or other Vessel, at or in the Port of Newcastle upon Tine, or at Sunderland, Blythe, Suton-Sluice, Culler-Coats, or any other Port, Harbour, Colliery, or Place that was, or was reputed to be, a Member of the Port of Newcastle; and to be paid to such Persons, and in such Manner, as by the said Act is di-
1 Geo. I. rected; and by another Act made and passed in the First Year of the Reign of his late Majesty King George the First, referring to the said former Act, all the Duties thereby granted and made payable, and every Clause, Matter, and Thing therein contained, were revived and enacted, and directed to be continued and paid for Fourteen Years, from the Twenty fourth Day of June, One thousand seven hundred and sixteen, until the Twenty fourth Day of June, One thousand seven hundred and
5 Geo. I. thirty: And whereas by One other Act made in the Fifth Year of the Reign of His said late Majesty King George the First, intituled, An Act for enlarging the Time granted by Two Acts of Parliament for Repairs of the Piers of *Bridlington*, alias *Burlington*; and for making the said Acts more effectual; it is thereby (amongst other Things) enacted, That the said Act passed in the Eighth and Ninth Years of the Reign of his said late Majesty King William the Third, with all the Powers thereby given, for charging, raising, levying, collecting, and disposing of any Sum or Sums of Money, for or towards repairing or rebuilding the said Piers of Bridlington, *alias* Burlington, should from and after the Twenty fourth Day of June, One thousand seven hundred and thirty, continue and be in full Force, for and during the Term of Twenty five Years; and that from and after the Twenty fourth Day of June, One thousand seven hundred and nineteen, for the Term of Thirty six Years, the several additional Rates and Duties therein mentioned, (over and besides the Duty and Duties granted and continued as aforesaid, or payable before the passing of the same Act) should be raised, levied, collected, and paid, for repairing and lengthening the said Piers, as
7 Geo. I. and in manner therein expressed: And whereas by another Act made and passed in the Seventh Year of the Reign of His said late Majesty King George the First, intituled, An Act for the better preserving and keeping in Repair the Piers of the Town and Port of *Whitby*, in the County of *York*; and for explaining and making more effectual the several Acts passed for lengthening and repairing the Piers of *Bridlington*, alias *Burlington*, in the

said County; it is amongst other Things enacted, That the Collector and Collectors, or any of them, appointed for the collecting and receiving of the said Duties by the said Act of the Fifth Year of the Reign of his said late Majesty King George the First, imposed and made payable at the said Port of Bridlington, *alias* Burlington, were thereby impowered to go on Board any Ship or Vessel within the said Port of Bridlington, *alias* Burlington; and take Account of, and demand and receive the said Duties, and for Nonpayment to distrain for the same in manner therein mentioned; and that the Trustees appointed for putting in Execution the said recited Acts, or any Five or more of them, are thereby impowered to appoint such Person as they shall think fit, with such annual Salary out of the said Duty, as they shall think fit, not exceeding Ten Pounds a Year, for the better governing and managing the Port or Harbour of Bridlington, *otherwise* Burlington, in such manner as in the said Act is mentioned and directed: And whereas, although the Money arising from the Duties granted by virtue of the said recited Acts, and also other considerable Sums of Money, raised by a Tax upon the Lands within the Manor of Bridlington aforesaid, have from time to time been laid out and applied in the repairing, rebuilding, and enlarging the said Piers of Bridlington, *alias* Burlington, aforesaid, yet the same has not been sufficient to support, maintain, and keep the same in good Order and Repair; and by means of several violent Storms, the same is become in a decaying and ruinous Condition, and in imminent Danger of being lost and destroyed, and there is now a considerable Debt due and owing upon the Credit of the said Acts; and as the Terms for which the said Duties were granted by the former Acts, will expire on the Twenty fourth Day of June, One thousand seven hundred and fifty five, and it is impossible that the said Piers can be effectually repaired and maintained, unless the said Duties be continued for a further Term of Years by Authority of Parliament: To the end therefore that the said Piers, and the Port and Harbour of Bridlington aforesaid, which has been of great Service to Navigation, and of great Use and Benefit to the Publick, may be maintained, supported, and preserved: May it please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Tem-

poral, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act of the Eighth and Ninth Years of His said late Majesty King William the Third; and also the said Act of the Fifth Year of the Reign of His said late Majesty King George the First; and also so much of the said recited Act of the Seventh Year of the Reign of His said late Majesty King George the First, as relates to the Piers or Port of Bridlington, *alias* Burlington; and all and every the Rates, Duties, Penalties, Forfeitures, Powers, and Authorities thereby given, granted, enacted, declared, and directed to be levied and executed, for or concerning the charging, raising, levying, collecting, receiving, disposing of, and accounting for any Sum or Sums of Money, for or towards repairing the said Piers of Bridlington, *alias* Burlington, or for governing or managing the said Port there, (except so much as relates to the absolute Sale of the said Duties) shall, from and after the Twenty fourth Day of June, One thousand seven hundred and fifty five, continue and be in full Force, for and during the Term of Thirty five Years then next ensuing; and from thence to the End of the then next Session of Parliament.

The recited Acts of 8 & 9 *Will.* III. and 5 & 7 *Geo.* I. continued for the further Term of 35 Years.

And it is hereby further enacted, That Sir Griffith Boynton, Sir William Saint Quintin, Baronets; Hugh Cholmley, William Osbaldeston, John Hill, John Robinson, Thomas Hassell, Walter Strickland, Christopher Goulton, and James Hustler, Esquires; being the present surviving Trustees for putting the former Acts in Execution; together with the Right Honourable the Lord Viscount Downe in the Kingdom of Ireland; the Right Honourable Sir Conyers Darcy Knight of the Bath, Sir George Strickland, Sir Digby Legard, Sir Robert Hildyard, Baronets; Francis Boynton, Mathew Chitty Saint Quintin, William Saint Quintin, Nathaniel Cholmley, William Strickland, Richard Langley, John Grimston, Hugh Bethell, William Bethell, William Thornton, Fountayne Wentworth Osbaldeston, George Osbaldeston, Barnabas Legard, Richard Sykes, Henry Willoughby, Esquires; and their Successors, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall by Writing under their Hands and Seals nominate, constitute, and appoint, in that Behalf, shall and may, and they are hereby authorized and impowered, from and immediately after the passing this Act,

Trustees impowered to raise and dispose of the Duties of the recited Acts; and to put the same and this Act in Execution.

to

to raise, levy, collect, receive, pay, apply, and dispose of the said Duties and Impositions granted by the said Acts of the Eighth and Ninth Years of His said late Majesty King William, and of the Fifth Year of the Reign of His said late Majesty King George the First; and also to put in Execution so much of the said Act of the Seventh Year of the Reign of His said late Majesty King George the First, as relates to the Piers or Port of Bridlington, *alias* Burlington, aforesaid, except so much as relates to the absolute Sale of the said Duties, during the Continuance of this present Act, in such Manner and Form, and by such Ways and Methods, and with such Powers and Authorities, and under such Rules, Directions, Penalties, and Forfeitures, as in and by the said former Acts, or any of them, are for that Purpose given, granted, ordered, directed, prescribed, and appointed; and in as full, ample, and beneficial Manner, to all Intents and Purposes, as if the said Powers, Authorities, Rules and Directions, Penalties and Forfeitures, were particularly and at large repeated and re-enacted in the Body of this present Act.

New Trustees to be elected in the Room of such as shall die, or refuse to act.

And it is hereby enacted by the Authority aforesaid, That if any of the said Trustees shall happen to die, or refuse to act, then, and in such Case, it shall and may be lawful to and for the surviving Trustees, or any Five or more of them, from time to time, by some Writing under their Hands and Seals, to elect, nominate, and appoint, other Trustee or Trustees, in the Place of such Trustee or Trustees so dying or refusing to act, as aforesaid; and such Trustee or Trustees, so from time to time elected, nominated, and appointed, shall have the same Power and Authority, as if he or they had been nominated and appointed by this present Act.

The Payment of the Rents, Tolls, and other Duties of the Manor of *Bridlington*, to be levied, accounted for, and managed, as the former Acts direct.

And whereas some Doubts have arisen, how far the Trustees appointed for putting in Execution the said recited Acts, have a Power of compelling the Payment of the Rents, Issues, and Profits, of the said Manor of Bridlington, *alias* Burlington, and of the Tolls, Port Dues, and other Duties, Sum and Sums of Money, chargeable with, or subject or liable to the repairing of the said Piers; be it therefore enacted by the Authority aforesaid, That the said Tolls and Duties, Rents, Issues, Profits, and Advantages of, or incident to the said Manor, or to the said Port, as well before the passing of the said recited Acts, as granted by the same Acts, or any of them; and all Sum and Sums of Money, as well

well heretofore collected and received, and remaining unapplied, as now due, or hereafter to become due and payable on account thereof; shall, from time to time, and at all Times during the Continuance of the said Term and Terms limited and appointed by the said former Acts, and this present Act, respectively, be raised, levied, received, accounted for, and managed, by such Ways and Means, and in such Manner, and under such Penalties, Forfeitures, and Provisions, and with such Powers and Authorities, as in or by the said former Acts, or any of them, are directed or provided, for the raising, levying, collecting, or receiving, the Duty or Duties thereby granted or made payable.

Application of the Monies.

And be it enacted by the Authority aforesaid, That out of the Money to be raised and collected by virtue of this Act, and the said former Acts, the Costs, Charges, and Expences, incident to the obtaining and passing this present Act, shall in the First Place be paid and discharged; and the Residue thereof, together with the Money raised upon the Lands by Pier Rates, shall be applied for repairing and rebuilding the said Piers of Bridlington, *alias* Burlington; and for paying the Debt due and owing upon the Credit of the said Acts.

Trustees impowered to set up, and repair a Crane on the Key of the Harbour,

And be it further enacted by the Authority aforesaid, That the Trustees appointed for putting this present Act in Execution, and their Successors, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall, in that Behalf, order, direct, or appoint, shall and may, and they are hereby authorized and impowered, at any Time or Times after the passing of this present Act, and during the Continuance of the said Terms hereby, and by the said former Acts, limited and appointed as aforesaid, from time to time, to set up, repair, rebuild, and amend, as often as Occasion shall require, a certain Crane or Engine placed, standing and being upon the Key adjoining to the said Harbour, and formerly erected and built for the lading and unlading of Ships or Vessels in the said Port, and which is now come to Decay; and also to place, keep, and maintain, a certain House, made and erected for the safe keeping of the Workmens Tools, Stores, and Materials used in repairing the said Piers, upon any Part of the waste Ground within the Manor of Bridlington, *alias* Burlington aforesaid, as to the said Trustees, or any Five or more of them, shall, from time to time, seem proper and expedient; and also to remove, lead, carry

and a House for keeping the Workmens Tools, &c.

carry away, and displace, any Part of the Waste or Soil of or belonging to the said Manor of Bridlington, *alias* Burlington aforesaid, adjoining or contiguous to the Port or Harbour there, in order to make any Ways or Passages leading into the said Harbour more convenient and commodious for the Passage and Conveyance of Cattle and Carriages used and employed in and about the lading or unlading of Ships coming into the said Port; and to pay and defray the Expences thereof out of the said Duties so granted or continued for repairing the said Piers.

and to remove any Soil, &c. to make the Passage to the Harbour commodious.

Provided always, and be it enacted by the Authority aforesaid, That all Ships and Vessels belonging to the Town and Borough of Great Yarmouth in the County of Norfolk (the said Borough having a Pier of their own, which they are not at present able to maintain) shall be exempted from the Payment of any of the Duties granted by the said Act of the Eighth and Ninth years of the Reign of His late Majesty King William the Third, or by the said Act of the Fifth year of the Reign of His late Majesty King George the First, or either of them, and hereby continued, for repairing the said Pier of Bridlington, *alias* Burlington; so as the Masters or Owners of such Ships or Vessels bring a Certificate, verified upon Oath before the Mayor of the said Town of Great Yarmouth, that the said Ships or Vessels do belong to the said Town, or that the Inhabitants of the said Town are Owners of the greatest Part of the Property in every such Ship or Vessel; any thing in the before recited Acts, or this Act, to the contrary notwithstanding.

Vessels belonging to *Great Yarmouth* excepted from the Duties.

And be it further enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons, for any thing done in pursuance of this present Act; that in any such Case the Action shall be laid in the County of York, and not elsewhere; and the Defendant or Defendants in such Action or Actions to be brought, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial thereupon; and if a Verdict shall pass for the Defendant or Defendants in such Action; or if the Plaintiff or Plaintiffs shall be Nonsuit, or discontinue his, her, or their Action or Actions, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs; the Defendant or Defendants shall and may recover Treble Costs, and have like Remedy for the same, as any De-

Limitation of Actions.

General Issue.

Treble Costs.

fendant or Defendants hath or have in other Caſes by Law.

Publick Act. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken, to be a publick Act; and be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

FINIS

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

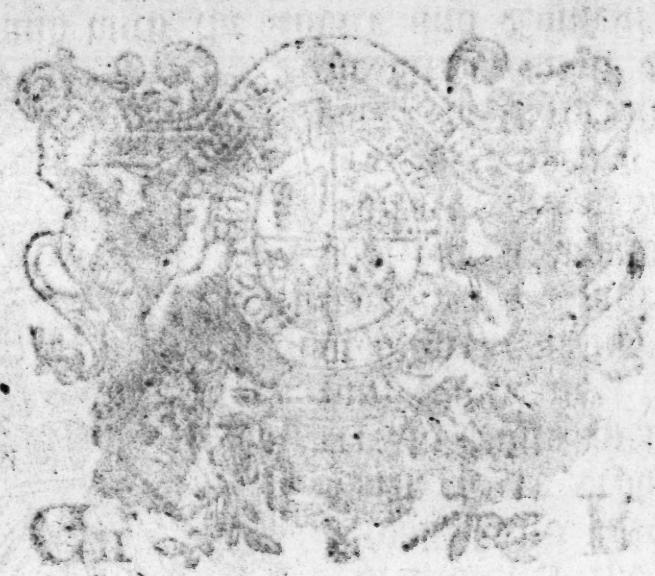
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

GII R

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



Anno vicesimo sexto

Georgii II. Regis.

An Act for permitting the Exportation of Wooll, and Woollen or Bay Yarn, from any Port in *Ireland*, to any Port in *Great Britain*.

WHEREAS the permitting of Wooll, and Woollen or Bay Yarn, to be exported only from certain Ports in Ireland, to certain Ports in England, is not of so great and extensive Advantage to the Trade of this Kingdom, as it would be if all the Ports in Great Britain and Ireland were opened for that Purpose; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of June, in the Year of our Lord One thousand seven hundred and fifty three, it shall and may be lawful for any Person or Persons to export from any Port in Ireland, any Wooll, or Woollen or Bay Yarn, Wooll Fells, Shortlings, Mort-

Preamble.

Wooll, and Woollen or Bay Yarn, may be exported from any Port of *Ireland*, into any Port of *Great Britain*;

lings, Wooll Flocks, and Worsted Yarn, to any Port in Great Britain; any Act or Acts of Parliament to the contrary notwithstanding.

Provided always, and be it enacted by the Authority aforesaid, That all such Exportations and Importations of Wooll, and Woollen or Bay Yarn, Wooll Fells, Shortlings, Worstlings, Wooll Flocks, and Worsted Yarn, from any Port in Ireland, into any Port in Great Britain, shall be made under the same Restrictions and Regulations, and in the same Manner in all Respects, as Wooll or Woollen Yarn is now by Law permitted to be exported from Dublin, Waterford, Youghall, Kinsale, Cork, Drogheda, New Ross, Newry, Wexford, Wicklow, Sligoe, Limerick, Gallway, and Dundalk, and imported into the several Ports of Biddeford, Barnstaple, Minehead, Bridgewater, Bristol, Milford Haven, Chester, Liverpoole, Lancaster, and Great Yarmouth, or any of them.

under the Restrictions and Regulations enacted concerning the Places herein set down.

FINIS.

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

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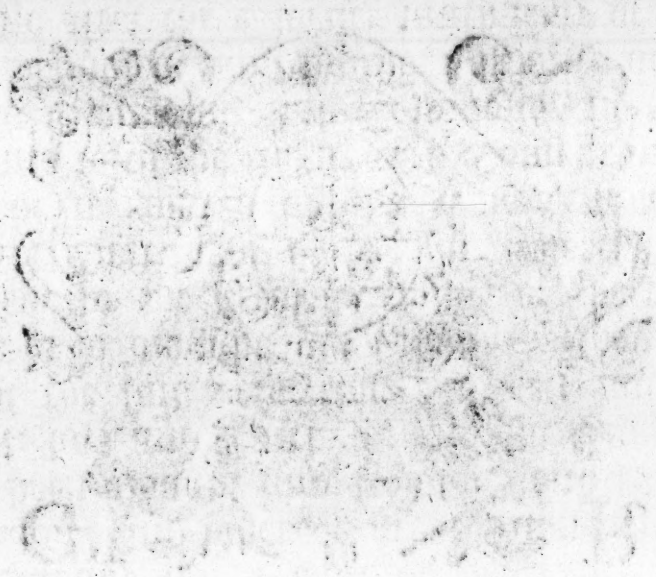


Anno vicesimo sexto

Georgii II. Regis.

An Act to prevent Wines imported into any of the Out-ports of this Kingdom, being afterwards brought into the Port of *London*, or Parts adjacent, without paying the *London* Duty.

WHEREAS the Duties payable by Law on Wines imported from Foreign Parts, into any of the Out-ports of this Kingdom, are less than the Duties payable on Wine imported into the Port of London: And whereas such Wines as are landed in any of the Out-ports, for which Duties are paid there, and which are afterwards brought to the Port of London by Certificate, are by Law liable to the Payment of so much more Subsidy as is short of the Duty due in the Port of London: And whereas great Quantities of Wine have of late been brought into London, and Places thereunto adjacent, by Land Carriage, without Payment of the Difference of the said respective Duties; and in many Cases Wine is so brought into London without Payment of any Duties, to the great Prejudice of the publick Revenue, and the Detriment of the fair Merchants of this Kingdom; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty ninth Day of September, One thousand seven hundred and fifty three, no Wine of any Sort exceeding the Quantity of Ten Gallons, which at any Time shall have been imported from Foreign Parts into any Out-port of this Kingdom, shall be brought, removed, or carried from such Out-port, or from any other Port or Place whatsoever, either by Land or by Water, into the Port of London, or the Members thereof, or to any Place whatsoever within the Distance of Twenty Miles

Preamble.

No Wine, exceeding the Quantity of 10 Gallons, imported into any of the Out-ports, to be brought from thence to *London*, or within 20 Miles of the *Royal Exchange*, without paying the Out-port and *London* Duty.

Miles from the Royal Exchange of London, before the Owner or Proprietor of such Wine shall have paid unto the Collector, or other proper Officer of the Customs nearest to the Place from whence such Wine is intended to be removed, the Duties payable in any of the Out-ports, and also the Difference of the respective Duties payable there, and in the Port of London, on the Importation of such Wine; and if any Quantity of Wine exceeding in Bottles Three Dozen, or in a Cask or Casks exceeding Ten Gallons, shall at One and the same Time, and in One and the same Carriage, be brought, removed, or carried, either by Land or by Water, into the Port of London, or the Members thereof, or to any Place whatsoever within Twenty Miles of the said Royal Exchange, without a Certificate from such Collector, or other proper Officer of his Majesty's Customs, expressing the Quality and Quantity of such Wine, and certifying, that as well the Duties payable upon the First Importation of such Wine at any of the Out-ports, as the Difference between the said Duties, and those which are due in the Port of London, on the Importation of such Wine, have been duly paid and satisfied, or that the same was Wine sold for Salvage, or that the same has been compounded for or condemned, such Wine shall be forfeited and lost, together with the Casks and Vessels containing the same, and shall and may be seized by any Officer or Officers of the Customs, and prosecuted in such Manner as any uncustomed Wines may be seized and prosecuted.

Wine, exceeding in Bottles 3 Dozen, or in Casks 10 Gallons, brought in the same Carriage to *London*, or within 20 Miles of the *Exchange*, without a Certificate of the respective Duties being paid, *&c.* to be forfeited, *&c.*

Provided always, and be it enacted by the Authority aforesaid, That if after the Removal of any such Wines, and after Payment of the Duties payable thereon in any of the Out-ports, and also of the Difference of the respective Duties payable there on the Importation of such Wines, and before the same shall be brought into the Port of London, or the Members thereof, or to any Place whatsoever within the Distance of Twenty Miles from the Royal Exchange of London, such Wine shall happen to be staved, or to be lost, or perish, the Commissioners of his Majesty's Customs, or any Three of them, shall (Proof being made upon Oath to their Satisfaction, that such Wines have been so staved, or have been lost or perished, as aforesaid) cause Repayment to be made to the Owner or Proprietor of such Wine, of so much Money as the Difference of the Duties payable for such Wines in any Out-port, and in the Port of London, shall amount to, such Repayment to be made out of any of the Duties or Customs payable on Wines imported.

If after the Removal of such Wines, and Payment of the Duties, the Wines shall be staved or perished before they shall be brought into the Port of *London*, *&c.* Repayment to be made of the Difference of the respective Duties to the Proprietor.

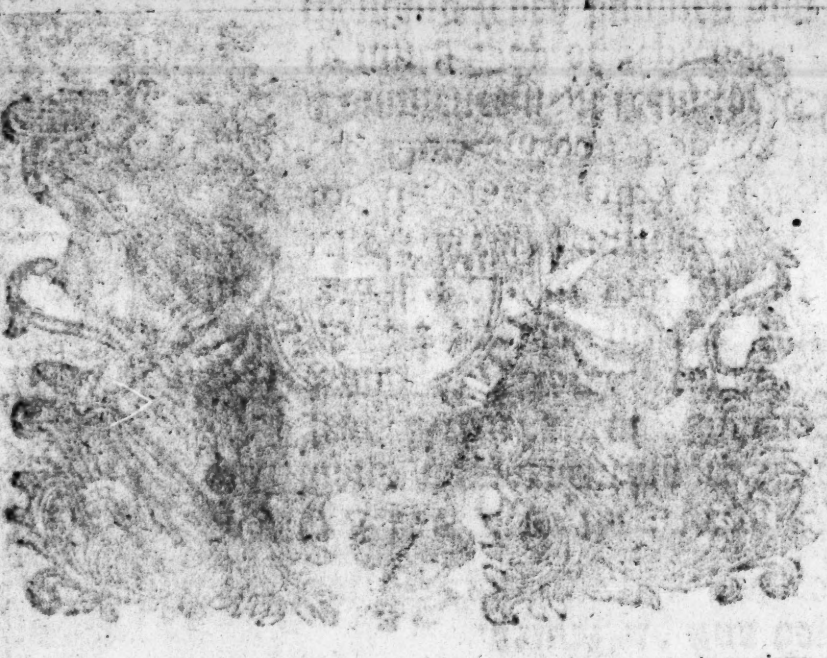
3 FINIS.

Anno Regni
GEORGII III.
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



Anno vicesimo sexto

Georgii II. Regis.

An Act for the more effectually preventing the fraudulent Removal of Tobacco by Land or Water, and for the Ease of the fair Trader in Tobacco; and for ascertaining the Rates payable for the Portage of certain Letters; and for amending and explaining the Laws relating to the Sale of Spirituous Liquors by Retail.

WHEREAS the several Provisions for preventing the fraudulent Removal of Tobacco by Land or Water, contained in an Act made in the Twenty fourth Year of His present Majesty's Reign, intituled, An Act for the more effectual securing the Duties upon Tobacco) have Commencement from the Twenty ninth Day of September, One thousand seven hundred and fifty one, notwithstanding which Provisions, such Tobacco as was imported before that Time, hath been, or may be removed by Land or Water, otherwise than by the said Act is directed, inasmuch as the same having been imported before that Time, cannot be subject to the Regulations prescribed by the said Act: And whereas the Continuance

Preamble, reciting the Act 24 *Geo.* II.

tinuance of this Liberty may encourage the Importers or Possessors of uncustomed Tobacco, to pretend that the same was imported before the said Twenty ninth Day of September, One thousand seven hundred and fifty one, and under that Pretence, Tobacco imported since that Time, and Tobacco Stalks stripped, and Snuff manufactured therefrom, may be removed otherwise than by the said Act is directed, to the great Prejudice both of the publick Revenue, and of the fair Trader: And whereas it may reasonably be supposed, that all such Tobacco as was imported, and was Stock in Hand before that Time, hath been, or might have been since disposed of: Now, for preventing Frauds equally injurious to the publick Revenue, and the fair Trader; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of June, One thousand seven hundred and fifty three, no Tobacco imported into Great Britain, before the said Twenty ninth Day of September, One thousand seven hundred and fifty one, and no Tobacco Stalks stripped, or Snuff manufactured from Tobacco so imported, shall be permitted to be removed by Land or Water, upon Pain that all such Tobacco, Tobacco Stalks, or Snuff, so removed, shall be forfeited, and shall and may be seized and prosecuted, and after Condemnation burnt and destroyed, by such Persons, and in such Manner and Form, and with such Rewards for seizing the same, as by the said Act is directed in relation to any Tobacco, Tobacco Stalks, or Snuff, on the Removal whereof Certificates are by the said Act required.

After 1 *June*, 1753, no Tobacco imported before 29 *Sept.* 1751, nor Tobacco Stalks stripped, or Snuff manufactured therefrom, to be removed by Land or Water, on Penalty of Forfeiture, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Officer of the Customs or Excise to seize and prosecute any Tobacco, Tobacco Stalks, or Snuff, which shall be removed from One Place to another in greater Quantities than by the said Act are allowed, and shall not be attended with such Certificates as by the said Act are required; and the Proof that such Tobacco, Tobacco Stalks, or Snuff, had before been removed from the Port of Importation with a proper Certificate, and that the Duties payable thereon had been paid or secured, shall be upon the Claimer or Claimers of the Tobacco, Tobacco Stalks, and Snuff, so seized, and not upon the Officer or Officers so seizing and prosecuting the same.

Tobacco, &c. removed in greater Quantities than the Act allows, without a Certificate, may be seized, &c.

Proof that it had been removed from the Port of Importation, with a Certificate, &c. to lie on the Claimer.

Provided always, That nothing in this or in the said Act contained, shall extend to prohibit the Exportation

portation to Parts beyond the Seas of any Tobacco which hath been imported before the Twenty ninth Day of September, One thousand seven hundred and fifty one, and shall be exported at any Time before the Twenty ninth Day of September, One thousand seven hundred and fifty four, from any Port where the same shall be on the First Day of June, One thousand seven hundred and fifty three.

Proviso for the Exportation of Tobacco imported before 29 *Sept.* 1751.

Provided also, That if on the Back of any Certificate to be granted by virtue of the said Act for removing or carrying any Tobacco, Tobacco Stalks, or Snuff, by Land, the Inn from whence the same shall be carried shall be described, such Certificate shall be as effectual, to all Intents and Purposes, as if the Name of the Person by whom the same shall be carried or conveyed, were inserted thereon; any thing in the said Act to the contrary thereof in any wise notwithstanding.

The Inn from whence any Tobacco shall be carried to be inserted instead of the Carrier's Name on the Back of the Certificate.

Provided also, That every Certificate to be granted by virtue of the said Act, for removing or conveying Tobacco, Tobacco Stalks, or Snuff, to be carried by Land or by Water from One Port or Place to another, shall be and be deemed a proper Certificate for that Purpose, although in such Certificate the Name or Names of the Person or Persons by whom the said Tobacco was imported, or by whom the Duties payable thereon were paid or secured, be not inserted therein, so as every other Requisite directed by the said Act, in case of such Removal, be observed, and the Name or Names of the Importer or Importers of such Tobacco be retained and expressed in the Bill or Bills from which such Certificates are, in the accustomed Manner, prepared; such Bill or Bills to be delivered to the Collector or other Chief Officer or Officers of the Port where the said Tobacco shall have been imported; any thing in the said Act to the contrary thereof in any wise notwithstanding.

Certificate for removing Tobacco not necessary to contain the Importer's Name, or Person who paid the Duties, &c.

Provided also, That the Second Purchaser of any entire Hogshead of unmanufactured Tobacco shall and may be intitled to the Benefit of a Certificate, on the Removal of any such Tobacco, or of any Stalks stripped, or any Snuff or manufactured Tobacco made therefrom, by Land or by Water, in like Manner as Certificates by the said Act are directed to be granted to the First Purchaser from the Importer; and that in all such Certificates so to be granted to such Second Purchaser of any entire Hogshead or Hogsheads of such Tobacco, the Name of the Importer or Importers, Seller or Sellers thereof, may be omitted, provided that the Seller to such Second Purchaser shall have delivered to the Collector or other Chief Officer of the Port where such Tobacco shall have been imported,

Second Purchaser of an Hogshead of unmanufactured Tobacco intitled to a Certificate on the Removal thereof, or of the Stalks, or Snuff, made therefrom, &c.

imported, such and the like Account as the Importer or Importers thereof are by the said Act required to give: And whereas by an Act made in the Ninth Year of the Reign of Her late Majesty Queen Ann, intituled, An Act for establishing a General Post Office for all Her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War, and other Her Majesty's Occasions; the Post Master General and his Deputy and Deputies is and are authorized to demand, have, receive, and take, for the Portage and Conveyance of every single Letter or Piece of Paper sent to and from the General Post Office in London, to and from any Parts or Places in Great Britain, or the Kingdom of Ireland, certain Rates in the said Act mentioned: And whereas One or more Writ or Writs or other Proceedings at Law are frequently sent inclosed in a Letter, or wrote upon One and the same Piece of Paper with a Letter; be it declared and enacted by the Authority aforesaid, That every such Writ and every such Proceeding at Law shall be rated, tared, and paid for as a several and distinct Letter, according to the Rates mentioned in the said Act.

Act 9 *Annæ*.

Every Writ, &c. to pay as a distinct Letter.

And whereas Patterns of Cloth, Silk, Stuff, and small Samples of other Sorts of Goods and other Things, not being Paper, are frequently sent inclosed in a single Letter or Piece of Paper; be it declared and enacted by the Authority aforesaid, That for every single Letter or Cover containing One or more Paper or Papers with Patterns, or containing One or more Pattern or Patterns of Cloth, Silk, or Stuff, or One or more Sample or Samples of any other Sort of Goods, or One or more Piece or Pieces of any other Sort of Thing inclosed therein or affixed thereto, though not Paper, if the same together do not weigh an Dunce Weight, the Rates payable by the said Act for a double Letter shall be paid, and no more.

Letters inclosing several Patterns not exceeding 1 Oz Weight to pay only as a double Letter.

And whereas by an Act made in the Sixteenth Year of his present Majesty's Reign, intituled, An Act for repealing certain Duties on Spirituous Liquors, and on Licences for Retailing the same, and for laying other Duties on Spirituous Liquors, and on Licences to retail the said Liquors; it is enacted, That no Licence shall be granted to any Person or Persons whatsoever for selling by Retail any Spirituous Liquors or Strong Waters whatsoever, except to such Persons only who shall keep Taverns, Victualling-houses, Inns, Coffee-houses, or Ale-houses, and that if any such Licences shall be granted to any other Persons, the same are thereby declared void to all Intents and Purposes; and it is thereby also enacted, That if any Person or

Recital of Clauses in Act 16 *Geo.* II.

Persons shall presume or offer to retail any of the said Spirituous Liquors without taking out such Licence as is therein mentioned, and renewing the same yearly, in Manner therein mentioned, he, she, or they, shall respectively forfeit and lose the Sum of Ten Pounds for each Offence; and in case such Person or Persons shall refuse or neglect to pay the said Sum of Ten Pounds, the same being lawfully demanded, it shall and may be lawful for any One or more Justice or Justices of the Peace of any County, Riding, Division, City, or Liberty, upon Information upon Oath being made before him or them of such Refusal or Neglect, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Person or Persons to the House of Correction for the County, Riding, Division, City, or Liberty, wherein such Person or Persons shall reside, there to remain and be kept to hard Labour for the Space of Two Months, to be reckoned from the Day of the said Commitment; and the Person or Persons shall not be discharged until he, she, or they shall have paid the said Sum of Ten Pounds, or until the full Expiration of the said Two Months; and that nothing in the said Act shall extend or be construed to enable any Person or Persons to sell any Spirituous Liquors or Strong Waters by Retail, unless such Person or Persons be first licensed to sell Ale, by Two or more of his Majesty's Justices of the Peace for the County, Riding, Division, City, or Liberty, wherein such Person or Persons shall sell the said Liquors, under the Hands and Seals of the said Justices: And whereas by One other Act made in the Seventeenth Year of his Majesty's Reign, (intituled, An Act for granting to His Majesty the Surplus or Remainder of the Monies arisen or to arise by the Duties on Spirituous Liquors, granted by an Act of the last Session of Parliament, and for explaining and amending the said Act in Relation to the Retailers of such Liquors, and for establishing an Agreement with the United Company of Merchants of *England*, trading to the *East Indies*) and Act 17 Geo. II. it is enacted, That in case where a Licence shall have been granted for retailing Spirituous Liquors to any Person who shall at the Time of granting such Licence, keep a Tavern, Victualling-house, Inn, Coffee-house, or Ale-house, if such Person so licensed shall afterwards during the Time of continuing such Licence, exercise the Trade of a Distiller, Grocer, or Chandler, or keep a Brandy Shop or Shops for Sale of Spirituous Liquors, the Licence granted in every such Case shall be void; and such Persons retailing Spirituous Liquors afterwards, shall forfeit Ten Pounds for every such Offence, notwithstanding

notwithſtanding ſuch Licence ſo obtained; and that no Licence for retailing Spirituous Liquors ſhall authorize any Perſon to whom the ſame may be granted to ſell ſuch Spirituous Liquors in any other Place, except in ſuch Houſes or Places thereunto belonging, wherein he, ſhe, or they ſhall inhabit and dwell at the Time of granting ſuch Licence, which Penalties by virtue of the ſaid Act made in the Seventeenth Year of His preſent Majeſty's Reign may be mitigated by ſuch Ways, Means, and Methods, as any Penalty or Forfeiture may be mitigated by any Law or Laws of Exciſe: And whereas in and by a Clauſe in an Act of Parliament made in the Twenty fourth Year of His preſent Majeſty's Reign, (intituled, An Act for granting to His Majeſty an Additional Duty upon Spirituous Liquors, and upon Licences for retailing the ſame; and for repealing the Act of the Twentieth Year of His preſent Majeſty's Reign, *intituled*, An Act for granting a Duty to His Majeſty to be paid by Diſtillers, upon Licences to be taken out by them for retailing Spirituous Liquors, and for the more effectually reſtraining the retailing of diſtilled Spirituous Liquors; and for allowing a Drawback upon the Exportation of *Britiſh* made Spirits; and that the Pariſh of Saint *Mary le Bon*, in the County of *Middleſex*, ſhall be under the Inſpection of the Head Office of Exciſe) reciting, That it may be doubted whether the ſaid Penalty of Ten Pounds can be recovered within the Limits of the Head Office of Exciſe in London, before a Juſtice or Juſtices of the Peace; it is thereby declared and enacted, That the ſaid Penalty may be recovered, and any Perſon retailing Spirituous Liquors without a Licence within the Limits of the ſaid Head Office, may be convicted before any Juſtice of the Peace for the City, County, or Liberty, where the Offence ſhall be committed, as well as before the Commiſſioners of Exciſe; and that ſuch Penalty ſhall not, in any Caſe, either by the ſaid Commiſſioners, or Juſtices of the Peace, be mitigated or reduced below the Sum of Five Pounds: And whereas, notwithſtanding the laſt recited Clauſe, it may be doubted whether the Juſtices of the Peace acting in the ſeveral Places which are not within the Limits of, or under the immediate Care, Inſpection, and Management of the ſaid Head Office of Exciſe, may not mitigate or reduce the ſaid Penalties of Ten Pounds below the Sum of Five Pounds: Now, to obviate ſuch Doubt, be it enacted and declared by the Authority aforeſaid, That the ſaid Penalties of Ten Pounds ſhall not, in any Caſe, be mitigated or reduced below the Sum of Five Pounds, either by the Commiſſioners of Exciſe, or the Juſtices of the Peace, whether

and in Act 24 *Geo.* II.

The reſpective Penalties of 10 *l.* inflicted by the recited Acts, not to be mitigated either by the Commiſſioners of Excile, or Juſtices of the Peace, below 5 *l.*

whether such Justices act within or without the Limits of the said Head Office of Excise.

Clause in the Act of 24 *Geo.* II.

And whereas by One other Clause in the said Act of Parliament, made in the Twenty fourth Year of His present Majesty's Reign, it is enacted, That no Licence for the selling by Retail of Spirituous Liquors, shall be granted within the Limits of the Head Office of Excise in London, but to such as shall occupy a Tenement or Tenements of the yearly Value of Ten Pounds or upwards, and for which they shall accordingly be rated, and pay in the Parish Rates; and that no Licence shall be of any Avail to any Person not so qualified, or for any longer Time than the Person so licensed shall be qualified as aforesaid, but shall be absolutely void: And whereas it is the true Intent and Meaning of the said Clause, that no Licence for retailing Spirituous Liquors be granted within the Limits of the Head Office of Excise in London, to any Person but to such as are sufficient and of Ability to occupy a Tenement or Tenements of the yearly Value of Ten Pounds or upwards; and such Rate and Payment to the Church and Poor, is intended only as an additional Proof of such Sufficiency: And whereas within the Limits of the Head Office of Excise in London, there are several Persons who keep Taverns, Victualling-houses, Inns, Coffee-houses, or Ale-houses for which they pay considerably more than Ten Pounds a Year, but such Persons are not rated and do not pay accordingly to the Church and Poor for the same, such Taverns, Victualling-houses, Inns, Coffee-houses, and Ale-houses being situate in Places where Occupiers of Houses or Tenements, are not rated or ratable to the Church and Poor; be it enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty three, it shall and may be lawful to and for His Majesty's Commissioners of Excise, and their Officers respectively, within the Limits of the said Head Office of Excise in London, to grant and deliver Licences for the retailing of Spirituous Liquors, pursuant to the Directions of the said several Acts of Parliament made in the Sixteenth and Twenty fourth Years of His present Majesty's Reign, or either of them, to any Person or Persons within the Limits of the said Head Office of Excise in London, applying for such Licence or Licences, who shall at the Time of his, her, or their Application for the same, in any Tenement situate in any Place where the Occupiers of Houses or Tenements are not rated or ratable to the Church and Poor, keep a Tavern, Victualling-

Commissioner &c. within the Limits of their Head Office of Excise in *London*, may grant Licences for retailing Spirituous Liquors, to Persons renting Houses of 12*l. per Annum*, though not rated thereat to the Poor Rate.

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tualling-house, Inn, Coffee-house or Ale-house, for which he, she, or they respectively shall, to the Satisfaction of the said Commissioners of Excise, make it appear that he, she, or they, do really and bona fide pay the full yearly Rent or Sum of Twelve Pounds or upwards, without any Deduction or Abatement whatsoever, although the Person or Persons so applying for such Licence or Licences, be not actually rated, and do not pay to the Church and Poor for the same accordingly.

Persons so licensed, to be subject to all the Laws in Force relating to the retailing Spirituous Liquors.

Provided always, and it is hereby enacted and declared, That every Person to be licensed for the retailing of Spirituous Liquors, pursuant to this Act, shall be subject to all other Provisions of the several Laws now in Force, in any wise relating to the retailing of Spirituous Liquors, or to the licensing the Retailers thereof, and on breach of the said Provisions or any of them, shall be subject and liable to the like Penalties, Forfeitures, and Punishments, in the same Manner as other Retailers of Spirituous Liquors now are; and all and every Person and Persons authorized to put the said Laws in Execution, against the Offenders acting contrary to them, or any of them, are hereby authorized and required to put the said Laws and each of them in Execution, against every Person to be licensed as aforesaid, who shall offend against the said Laws, or any of them.

Clause in the Act of 24 *Geo.* II.

And whereas in and by One other Clause in the said Act of Parliament, made in the Twenty fourth Year of His Majesty's Reign, it is enacted, That from and after the First Day of July, One thousand seven hundred and fifty one, no Person whatsoever, being a Common Brewer of Ale or Beer, or Inn-keeper, Distiller, or other Seller of or Dealer in any Kind of Spirituous Liquors, or who is or are, or shall be interested in any of the said Trades or Businesses, shall during such Time as he or they shall be such Common Brewer, Inn-keeper, Distiller, or other Seller of or Dealer in Spirituous Liquors, or interested in any of the said Trades or Businesses, be capable or have any Power to act, or shall be directly or indirectly concerned in acting as a Justice of the Peace, in any Matter or Thing whatsoever, which shall any Ways concern the Execution of the Powers or Authorities given or granted by any Act or Acts of Parliament in any wise relating to Distillers or Makers of Low Wines, Spirits, or Strong Waters for Sale, or to the Duty or Duties imposed upon Low Wines, Spirits, or Strong Waters, or any other Kind of Spirituous Liquors whatsoever, or to the granting Licences to the Retailers of Spirituous Liquors: And whereas notwithstanding the last recited Clause,

Clause, it is doubted whether Common Brewers of Ale or Beer, or Inn-keepers, Distillers, or other Sellers of or Dealers in any Kind of Spirituous Liquors, or who are or shall be interested in any of the said Trades or Businesses, being Justices of the Peace, may not grant Licences to the Retailers of Beer or Ale, which Licence is One of the necessary Requisites to intitle such Retailers to apply for a Licence to retail Spirituous Liquors: And whereas it is reasonable that such Persons, and also Victuallers and Malsters, being Justices of the Peace, should be restrained from granting Licences to retail Beer and Ale; be it declared and enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty three, no Justice of the Peace, being a Common Brewer of Ale or Beer, Inn-keeper, or Distiller, or other Seller of or Dealer in Ale or any Kind of Spirituous Liquors, or interested in any of the said Trades or Businesses, or being a Victualler or Malster, shall during such Time as he shall be such Common Brewer, Inn-keeper, Distiller, Victualler, or Malster, or other Seller of or Dealer in Ale or Spirituous Liquors, or interested in any of the said Trades or Businesses, be capable or have any Power to grant any Licence or Licences to any Person or Persons whatsoever, for selling Ale, Beer, or any other Liquors by Retail; and in case any such Justice or Justices shall, contrary to the true Intent and Meaning hereof, presume to grant any such Licence, the same shall be and is hereby declared to be null and void to all Intents and Purposes whatsoever.

Justices being Common Brewers, Inn-keepers, Distillers, Victuallers, or Malsters, &c. prohibited from granting Licences for selling Ale, &c. or Spirituous Liquors, by Retail.

FINIS.

Anno Regni GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno vicesimo sexto

Georgii II. Regis.

An Act for the settling and ascertaining the Fees to be taken by Clerks to Justices of the Peace.

WHEREAS some Doubts have arisen touching the Fees due to Clerks of Justices of the Peace: And whereas it would tend to the due Execution of the Laws, and to the Ease of the Subject, that the Fees to be taken by the said Clerks should be ascertained; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Justices of the Peace throughout that Part of Great Britain called England, at their respective General Quarter Sessions of the Peace, to be held next after the Twenty fourth Day of June, One thousand seven hundred and fifty three, shall, and they are hereby required to make and settle a Table of the Fees which shall be taken by Clerks to Justices of the Peace, within the County, City, or other Division, for which such respective General Quarter Sessions shall be held; and such respective Tables of Fees, being approved by the Justices of the Peace at the next succeeding General Quarter Sessions of the Peace, for such County, City, or other Division, with such Alterations as such Justices of the Peace so assembled shall think proper, shall be laid before the Judges at the next Assizes, or at the Great Sessions for the Principality of Wales, and Counties Palatine of Chester, Lancaster, and Durham, for the respective County, City, or other Division; and the said Judges are hereby authorized and required to ratify and confirm such respective Tables of Fees, in such Manner and Form, as the same shall be made, settled, and approved of, by the said Justices, or with such Alterations, Additions, or Abatements, as to such Judges shall appear to be just and reasonable; and it shall and may be lawful for the said Justices of Peace, in their respective Quarter Sessions assembled, from time to time, to make any other Table of Fees to be taken, instead of the Fees contained in the Table which shall have been

Preamble.

Justices to settle a Table of the Fees to be taken by their Clerks;

the same to be laid before and ratified by the Judges of Assize.

Justices may from time to time make new Tables of Fees;

ratified and confirmed by the Judges of Assize; and after the same shall have been approved by the Justices of the Peace at the next succeeding General Quarter Sessions, in manner as aforesaid, to lay such new Table of Fees before the Judges at the next Assizes, or at the Great Sessions for the Principality of Wales, and Counties Palatine of Chester, Lancaster, and Durham, who are hereby impowered and authorized to approve and ratify the same, in manner as aforesaid, if they think fit; but no Table of Fees to be made and settled by the said respective Justices of Peace, shall be of any Validity or Effect whatsoever, until the same shall be ratified and confirmed by the said Judges.

which are to be laid before, and ratified in the same Manner, by the Judges of Assize.

Penalty of 20 *l.* on Clerks taking other, or greater Fees, than allowed in the Table.

And be it further enacted by the Authority aforesaid, That if at any Time after the Space of Three Calendar Months from the Time that such Table of Fees shall be made and ratified as aforesaid, any Clerk or Clerks to any Justice or Justices of the Peace, or any Person or Persons acting as such, shall, under Pretence of any Matter or Thing done, transacted, or performed by such Justice or Justices, in the Execution of his or their Office or Offices, or done, transacted, or performed by such Person or Persons as Clerk or Clerks to such Justice or Justices, demand or receive any other or greater Fee than shall have been ascertained, ratified, and confirmed, in manner as aforesaid, such Person shall, for every such Offence, forfeit and pay Twenty Pounds, to any Person who shall sue for the same by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Privilege, Protection, Wager of Law, or more than One Imparlance shall be granted or allowed.

Tables of the Fees to be deposited with the Clerks of the Peace,

and Copies thereof to be placed in the Room where the Sessions are held, under Penalty of 10 *l.*

And be it further enacted by the Authority aforesaid, That all the Tables of Fees which shall be made and settled, and ratified and confirmed, from time to time, as aforesaid, shall be deposited with the Clerk of the Peace for the respective County, City, or other Division; and each of the said Clerks of the Peace shall cause true and exact written or printed Copies of the said Tables to be placed and to be kept constantly in a conspicuous Part of the Room or Place where the General or Quarter Sessions shall be held, under Pain of forfeiting the Sum of Ten Pounds for each Offence, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Privilege, Protection, Wager of Law, or more than One Imparlance shall be granted or allowed.

Limitation of Actions.

Provided always, and be it further enacted by the Authority aforesaid, That all Suits and Actions which shall be brought or commenced by virtue of this Act, shall be brought before the End of Three Months after the Offence committed, and not otherwise.

FINIS.

Anno Regni
GEORGII II.

REGIS

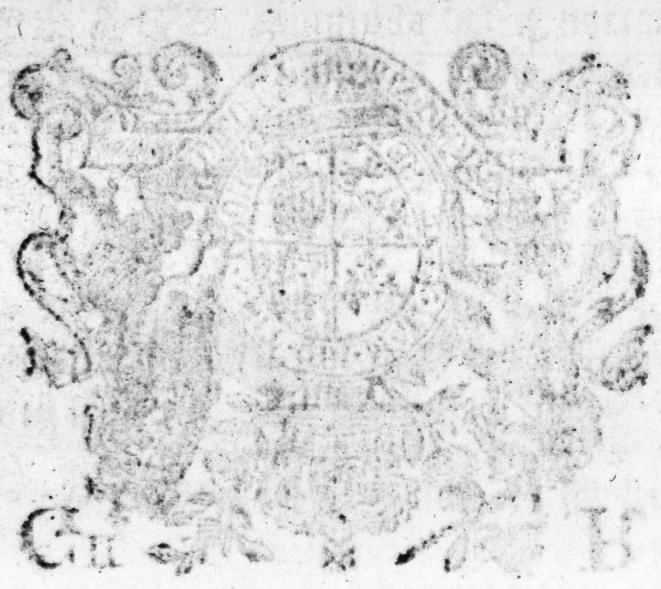
Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

L O N D O N:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



Anno vicesimo sexto

Georgii II. Regis.

An Act for allowing Interest upon certain Debentures for the Bounty granted on the Exportation of Corn.

WHEREAS by an Act made in the First year of the Reign of King William and Queen Mary, intituled, An Act for the encouraging the Exportation of Corn; it is enacted, That when Malt or Barley, Winchester Measure, shall be at Twenty four Shillings per Quarter, or under, Rye at Thirty two Shillings per Quarter, or under, Wheat at Forty eight Shillings per Quarter, or under, in any Port of England or Wales, every Merchant, or other Person, who shall put on Ship-board, in such Manner as by the said Act is directed, any Sorts of the Corn aforesaid, with Intent to export the same to Parts beyond the Seas, and shall bring a Certificate in Writing under his Hand, containing the Quantity and Quality of the Corn so shipped, to the

Preamble, reciting Acts of 1 W. & M.

c

the Farmers, Commissioners, Collectors, or other Persons appointed to collect the Duties and Rates arising by Customs, within any such Port, shall, upon such Proof of the said Certificate, and upon giving such Bond as by the said Act is required, have and receive from such Farmers, Commissioners, Collectors, or other Persons, in any Port respectively where the same Corn shall be so shipped, for every Quarter of Barley or Malt, ground or unground, Two Shillings and Six Pence; for every Quarter of Rye, ground or unground, Three Shillings and Six Pence; for every Quarter of Wheat, ground or unground, Five Shillings; of which Sums every such Commissioner, Farmer, or other Person, is thereby authorized and required, upon Demand by such Exporter, to make present Payment accordingly: And whereas by a Clause in an Act made in the same Session of Parliament, intituled, An Act for an additional Duty of Excise upon Beer, Ale, and other Liquors; the Benefit and Advantage by the said first-mentioned Act given to the Exporters of Corn from any Port in England or Wales, is also granted in like Manner to the Exporters of Corn from the Town and Port of Berwick upon Tweed: And whereas by an Act made in the Fifth Year of the Reign of Queen Anne, intituled, An Act for Ease of Her Majesty's Subjects in relation to the Duties upon Salt; and for making the like Allowances upon the Exportation of White Herrings, Flesh, Oatmeal, and Grain called Beer, *alias* Bigg, as are to be made upon the Exportation of the like from *Scotland*; it is, amongst other Things, enacted, That for all Oatmeal, or Grain called Beer, alias Bigg, which shall be exported from any Port of England, Wales, or the Town of Berwick upon Tweed, to Parts beyond the Seas, by any Merchant, or other Person or Persons whatsoever, there shall be the like Præmium given upon the Exportation thereof, as is to be given (by the Articles of Union) upon the Exportation of Oatmeal or Beer from Scotland; by which Articles of Union it is provided, That seeing by the Laws of England there are Rewards granted upon the Exportation of certain Kinds of Grain, wherein Oats grinded or ungrinded, are not expressed, from and after the Union, when Oats shall be sold at Fifteen Shillings Sterling per Quarter, or under, there shall be paid Two Shillings and Six Pence Sterling for every Quarter of the Oatmeal exported in the Terms of the Law, whereby, and so long as Rewards are granted for Exportation of other Grain, and that the Beer of Scotland have the same Rewards as Barley: And whereas by another Clause in the said Act, made in the Fifth year of

5 *Annæ.*

the Reign of Queen Anne, it is enacted, That every 5 *Annæ.*
Merchant, or other Person, exporting Malt made of Wheat, shall have and receive for every Quarter of Malt made of Wheat, or Wheat Malt, ground or unground, Five Shillings, to be paid by the respective Persons mentioned in the said Act made in the First Year of the Reign of King William and Queen Mary, intituled, An Act for the encouraging the Exportation of Corn: And whereas by an Act made in the Third Year of the Reign of His present Majesty, for better preventing Frauds in the malting of Corn for Exportation; it is enacted, That there shall be paid to the Maltsters and Makers of Malt for Exportation, for every Twenty Quarters of Barley, or other Corn or Grain, that shall be entered and made into Malt for Exportation, an Allowance of Thirty Quarters after the same shall be dried and made into Malt, and no more, upon the Exportation thereof, according to the said Act made in the First Year of the Reign of King William and Queen Mary, intituled, An Act for the encouraging the Exportation of Corn; and in such Cases where by the said Act they are intitled to the same; and so in Proportion for a greater or lesser Quantity; payable in such Manner as by the said Act made in the Third Year of His present Majesty's Reign is directed: And whereas by a Clause in an Act made in the Twelfth and Thirteenth 12 & 13 *W.* 3.
Year of the Reign of King William the Third, intituled, An Act for granting an Aid to His Majesty for defraying the Expence of His Navy, Guards, and Garrisons, for One Year, and for other necessary Occasions; it is, amongst other Things, enacted, That if the Collector of the Customs of any Port wherein Corn shall be exported, shall shall not have sufficient in his Hands to satisfy and pay such Sum or Sums of Money which are or shall be due to any Exporter by virtue of the said Act made in the First Year of the Reign of King William and Queen Mary, arising out of the Customs and Duties out of which it ought to be paid, upon Demand, according to the Intent of the said Act, that then such Collector shall give to the Person demanding such Sum or Sums of Money, without Fee or Reward, a Certificate under his Hand of what is due to such Person for the Corn exported from such Port, certifying to the Commissioners of the Customs at London, that he hath not Monies in his Hands sufficient to pay the same; which Certificate being annexed to the Debenture for the Corn so exported, and being produced to His Majesty's Commissioners of the Customs at London, they the said Commissioners are thereby authorized and required, on Demand, by the Person

that shall bring the same, to cause the Monies thereby due to be paid in Three Months by the General Receiver or Cashier of the Customs, out of such Monies as shall be in his Hand, arising out of such Customs or Duties in the said Port of London, as are chargeable with the Payment of any Money for the Exportation of Corn, according to the said Act, without Fee or Reward, as in and by the said several Acts above recited or mentioned, Relation being thereunto respectively had, may more fully appear: And whereas by reason of the great Quantity of Corn which of late hath been exported, the Revenue applicable to the Payment of the Bounty on the Exportation thereof (being charged also with other Payments) hath not been sufficient to satisfy and pay all such Monies due for Corn exported, as by virtue of the said Act made in the Twelfth and Thirteenth Year of the Reign of King William the Third, are in Manner therein mentioned, payable by the said General Receiver or Cashier of the Customs; and divers Debentures for such Monies so payable do and may for that Reason remain unsatisfied: Now, for making a reasonable Compensation for such Delay of Payment; and to the end that the Owners and Tillers of Land, and the Nation in general may continue to enjoy the Benefit designed by the said Bounty on the Exportation of Corn; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if at any Time, from and after the Twenty fifth Day of March, One thousand seven hundred and fifty three, any Debenture for the Bounty on Corn exported, so payable by the said General Receiver or Cashier of the Customs shall remain unsatisfied, more than Six Months next following the Day when the same shall or may have been produced to the Commissioners of the Customs at London, according to the Directions of the said Act made in the Twelfth and Thirteenth Year of the Reign of King William the Third, then, and in such Case, for the Forbearance of such Money as, after the Expiration of the said Six Months, shall be due on such Debenture, Interest after the Rate of Three Pounds per Centum per Annum shall be allowed to the Proprietor or Proprietors thereof, his, her, or their Executors, Administrators, or Assigns, such Interest to be computed from the End of the said Six Months, until the Money due on such Debenture, together with such Interest, shall be paid, or until Money sufficient shall be reserved in the Hands of the said General Receiver or Cashier

Debentures remaining unsatisfied for 6 Months, to carry an Interest of 3 *l.* *per Centum.*

shier of the Customs for that Purpose, and proper Notice shall be given thereof.

And to the end that proper Notice may be given that Money sufficient is reserved for that Purpose, and that the Persons to whom any such Principal or Interest shall be due, may not avail themselves of their Neglect to demand the same; be it further enacted by the Authority aforesaid, That when Money sufficient shall be reserved in the Hands of the said General Receiver or Cashier of the Customs, for Payment of the Principal and Interest due on any such Debentures, as after the Expiration of the said Six Months shall remain unsatisfied, the said General Receiver or Cashier shall and may give Notice in Writing to be affixed on Three or more Doors of some Publick Place or Places in the Custom-house London, and to be advertized in the London Gazette, that on a certain Day to be limited in the said Notice, and on the Four Days next following such Day (so as Six Days at the least intervene between the Date of such Notice, and the Day so limited, and so as Sundays and Holidays be not included in the Number of such Four Days) he shall be ready to pay and discharge the Principal and Interest due on such Debentures; after the Expiration of which Five Days, if Payment of such Principal and Interest shall not be demanded pursuant to the said Notice, all Interest on such Debentures shall cease and determine.

Notice to be given when Money is in Hand to pay off the Debentures;

after which Time Interest to cease.

Provided always, That the Principal Monies due on such Debentures, together with such Interest as shall be due thereupon, before the Expiration of the Time limited in the said Notice, shall at any Time afterwards upon Demand be paid to the Proprietor or Proprietors of such Debentures, his, her, or their Executors, Administrators, or Assigns.

Principal to be paid notwithstanding.

Provided also, and be it enacted by the Authority aforesaid, That if at any Time after the Day prefixed by Order of the said Commissioners of the Customs, for the Payment of any such Debentures so produced to them, and before the End of Six Months next following the Day on which the same shall have been so produced to them, the said General Receiver or Cashier of the Customs shall have Money in his Hands sufficient to satisfy the same; and the like Notice shall by him be given in manner beforementioned, that he is ready to make Payment thereof; and no Demand of such Payment shall be made within the Time limited in such Notice, then and in such Case, no Interest whatsoever shall be allowed on such Debentures; any thing in this Act to the contrary thereof in any wise notwithstanding.

If there shall be at any Time thereafter Money in Hand sufficient to discharge the Debentures, and Notice be given thereof, the Interest thereon to cease, &c.

And

Principal and Interest to be paid in course, without undue Preference.

Provided nevertheless, and be it declared and enacted by the Authority aforesaid, That all Debentures for Corn exported, payable as is aforesaid by the General Receiver or Cashier of the Customs, according to the Intention of the said Act made in the Twelfth and Thirteenth year of the Reign of King William the Third, together with the Interest thereof, payable by virtue of this Act, (if any such Interest shall be due) shall be paid by the said General Receiver or Cashier in course, Respect being had to the Times when such Debentures shall have been produced to the Commissioners of the Customs, in Manner before mentioned, without any other Preference of one before another.

Day of Presentment to be indorsed on Certificate of Debenture; and an Order for the Payment and Interest to be signed.

And be it further declared and enacted by the Authority aforesaid, That when any Certificate under the Hand of the Collector of the Customs of any Port, affixed to any Debenture for Corn exported from such Port, certifying to the Commissioners of the Customs at London, that he hath not Monies in his Hands sufficient to pay what is due for Corn so exported, shall be produced to the said Commissioners, they shall immediately in such Manner as hath been accustomed, cause an Indorsement to be made on the Back of the said Debenture, of the Day when the same was so produced; and shall as soon as conveniently may be, sign their Order to the said General Receiver or Cashier for Payment thereof, and of such Interest as shall grow due thereon by virtue of this Act, if the Principal shall not be paid before the Time when the Interest allowed by this Act is directed to commence.

Payment to be made of the Principal and Interest without Fee.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said General Receiver or Cashier of the Customs, and he is hereby authorized and required, when he shall make Payment of the Principal Money due on any such Debenture, to pay also without Fee or Reward, the Interest which shall be due thereon, by virtue of this Act, out of such Monies as shall be in his Hands, arising out of such Customs or Duties, as are chargeable with the Payment of any Money for the Exportation of Corn; and the Monies so paid by him, in obedience to this Act, shall be accepted of in his Account, as so much Money paid to His Majesty, His Heirs, or Successors, and he shall be discharged therefrom accordingly.

Debentures made assignable.

And be it further declared and enacted by the Authority aforesaid, That every Person to whom any Money shall be payable for Corn exported by virtue of any such Debenture, and his or her Executors, Administrators, or Assigns, by proper Words of Assignment to be indorsed upon such Debenture, may assign and transfer his or

her Right and Interest therein, to any other; which Indorsement shall intitle such Assignee or Assignees, his, her, or their Executors, Administrators, or Assigns, to the Benefit thereof, and Payment thereon; and such Assignee or Assignees may in like Manner assign again, and so toties quoties, at any Time before Payment thereof shall be made by the said General Receiver or Cashier of the Customs as aforesaid.

And whereas by the Sixth Article of the Treaty of Union, it is provided that all Parts of the united Kingdom for ever, from and after the Union, shall have the same Allowances, Encouragements, and Drawbacks, and be under the same Prohibitions, Restrictions, and Regulations of Trade, and liable to the same Customs and Duties on Import and Export; and that the Allowances, Encouragements, and Drawbacks, Prohibitions, Restrictions, and Regulations of Trade, and the Customs and Duties on Import and Export settled in England, when the Union commences, shall from and after the Union, take Place throughout the whole united Kingdom; be it therefore enacted by the Authority aforesaid, That if at any Time, from and after the Twenty fifth Day of March, One thousand seven hundred and fifty three, the Collector of the Customs at any Port in that Part of Great Britain called Scotland, from which Corn shall be exported, shall not have sufficient in his Hand to satisfy and pay such Sum or Sums of Money, which are or shall be due to any Exporter, by virtue of the Laws now in being, arising out of the Customs and Duties, out of which it ought to be paid, that then such Collector shall give to the Person demanding such Sum or Sums of Money, without Fee or Reward, a Certificate under his Hand, of what is due to such Person for the Corn exported from such Port, certifying to the Commissioners of the Customs at Edinburgh, that he hath not Monies in his Hand sufficient to pay the same; which Certificate being annexed to the Debenture for the Corn so exported, and being produced to the Commissioners of the Customs at Edinburgh, they the said Commissioners are hereby authorized and required, on Demand by the Person that shall bring the same, to cause the Monies thereby due, to be paid in Three Months, by the General Receiver or Cashier of the Customs in Scotland, out of such Monies as shall be in his Hand, arising out of such Customs or Duties as are chargeable with the Payment of any Money for the Exportation of Corn, without Fee or Reward.

Where there is not Money in Hand to pay the Bounty on Corn exported from *Scotland*, a Certificate to be granted;

and the Debenture to be paid by the Receiver General in Three Months.

Debentures remaining unsatisfied for 6 Months, to carry 3 *l per Cent.* Interest.

And be it further enacted by the Authority aforesaid, That if at any Time, from and after the Twenty fifth Day of March, One thousand seven hundred and fifty three, any Debenture for the Bounty on Corn exported, so payable by the said General Receiver or Cashier of the Customs in Scotland, shall remain unsatisfied more than Six Months, next following the Day when the same shall or may have been produced to the Commissioners of the Customs at Edinburgh as aforesaid, then and in such Case for the Forbearance or Delay of Payment of such Money, as after the Expiration of the said Six Months shall be due on such Debenture, Interest after the Rate of Three Pounds per Centum per Annum shall be allowed to the Proprietor or Proprietors thereof, his, her, or their Executors, Administrators, or Assigns, such Interest to be computed from the End of the said Six Months, until the Money due on such Debenture, together with such Interest, shall be paid, or until Money sufficient shall be reserved in the Hand of the said General Receiver or Cashier of the Customs in Scotland, for that Purpose; and like Notice shall be given thereof in Writing, to be affixed on One or more Doors of some publick Place or Places in the Custom-house at Edinburgh, and to be advertised in the Edinburgh Currant, that the said General Receiver or Cashier is ready to pay and discharge the Principal and Interest due on such Debentures; after the Expiration of which Time limited in such Notice, if Payment of such Principal and Interest shall not be demanded, pursuant to the said Notice, all Interest on such Debentures shall cease and determine.

Notice to be given when the same are ready to be discharged, and Interest to cease from thence.

If there shall be at any Time thereafter, Money in Hand sufficient to pay off the Debentures, and Notice be given thereof, the Interest thereon to cease.

Provided also, That if at any Time after the Day prefixed by the Order of the said Commissioners of the Customs at Edinburgh, for the Payment of any such Debenture so produced to them, and before the End of Six Months next following the Day on which the same shall have been so produced to them, the said General Receiver or Cashier of the Customs in Scotland shall have Money in his Hand sufficient to satisfy the same, and the like Notice shall by him be given in Manner before-mentioned, that he is ready to make Payment thereof, and no Demand of such Payment shall be made within the Time limited for such Notice, then and in such Case, no Interest whatsoever shall be allowed on such Debentures.

Debentures in *Scotland*, to be paid by the General Receiver,

Provided also, That all Debentures for Corn exported, payable as aforesaid by the General Receiver or Cashier of the Customs in Scotland, together with the Interest thereof, by virtue of this Act (if any such Interest shall be due) shall be paid by the said General Receiver or

Caſhier in Courſe; Reſpect being had to the Times when ſuch Debentures ſhall have been produced to the Commiſſioners of the Cuſtoms at Edinburgh as aforeſaid, without any other Preference of One before another, according to the Indorſement to be made on the Back of the ſaid Debenture of the Day when the ſame was ſo produced; and every ſuch Debenture ſhall be payable to the Perſon therein named, or to his or her Executors, Adminiſtrators, or Aſſigns, by One or more Indorſements as aforeſaid. and without undue Preference.

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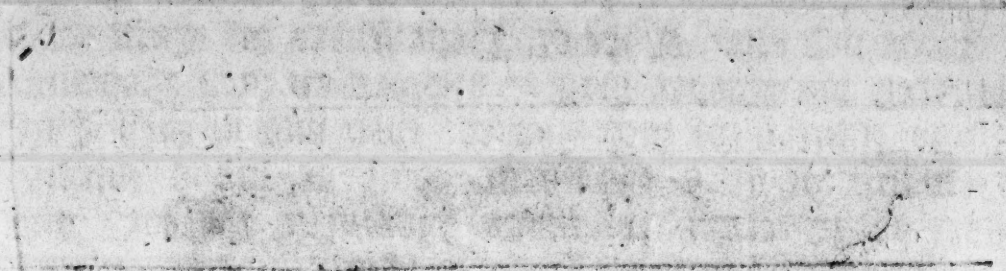

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno vicesimo sexto

Georgii II. Regis.

An Act for reducing the Number of Directors of the Corporation of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*; and for encouraging the Fishery; and for regulating the Election of the Governors and Directors of the said Company.

WHEREAS in and by the Charter of Incorporation granted in pursuance of an Act of the Ninth year of her late Majesty Queen Anne, to the Governor and Company of Merchants of Great Britain trading to the South Seas, and in other Parts of America; and for encouraging the Fishery, bearing Date the Eighth Day of September, in the year of our Lord One thousand seven hundred and eleven, it is, amongst other Things, directed, That for the good Government of the said Company, there should be for ever a Court of Directors, to consist of One Governor, One Sub-Governor, and One Deputy-Governor, and Thirty Directors, and that the Majority of the said Court of Directors, whereof the Governor, Sub-Governor, or Deputy-Governor, (except as in the said Charter is excepted) to be always One, should be deemed a Court of Directors; and that from and after the Election, by the said Charter directed to be made, between the Twenty fifth Day of December, and the Sixth Day of February, One thousand seven hundred and seventeen, of and for such Governors and Directors, such Election should from thenceforth be made every Third year, between the Twenty fifth Day of December, and the Sixth Day of February, for ever: And whereas the said Company, at a General Court holden on the First Day of February, One thousand seven hundred and fifty three, came to a Resolution that proper Application should be made to Parliament in the Name of the said Company, that from and after the Expiration of the Three years for which the present Governors and Directors are chosen, the Court of Di- Preamble.

rectors of the said Company might consist of One Governor, One Sub-Governor, One Deputy-Governor, and Eighteen Directors only, and that the Majority of such Court of Directors, whereof the Governor, Sub-Governor, or Deputy-Governor (except as in the said Company's Charter is excepted) to be always One, might from thenceforth be deemed a Court of Directors; and that from thenceforth also, the Election of Governors and Directors might be Annually, between the Twenty fifth Day of December, and the Sixth Day of February; and that the First Election of Governors and Eighteen Directors might be between the Twenty fifth Day of December, One thousand seven hundred and fifty three, and the Sixth Day of February then next following: And whereas the said Governor and Company, by their Petition, under their Common Seal, have prayed that they may be enabled, by Authority of Parliament, to carry the aforesaid Resolution of their General Court into Execution; May it therefore please your most Excellent Majesty, upon the humble Petition and Request of the said Governor and Company, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the Three Years for which the present Governors and Directors are chosen, the Court of Directors of the said Company do and shall consist of One Governor, One Sub-Governor, One Deputy-Governor, and Twenty one Directors only; and that the Majority of such Court of Directors, whereof the Governor, Sub-Governor, or Deputy-Governor (except as in the Charter of the said Company is excepted) to be always One, shall from thenceforth be deemed and be a Court of Directors.

The Number of which a Court of Directors, for the future, is to consist.

One declared to be a Majority.

Provided always, and be it further enacted by the Authority aforesaid, That at the next General Election of Directors, Twenty one Directors and no more, who were at the last preceding General Election of Directors chosen into the Office of Directors, may be again appointed or chosen into the Office of Directors; and that at and in every subsequent Election, no more than Fifteen who were at the last preceding General Election of Directors chosen into the Office of Director, shall be again appointed or chosen into the Office of Director; any By-law of the said Governor and Company to the contrary thereof in any wise notwithstanding.

At the next General Election, 21 of the former Directors may be re-chosen,

and in every subsequent one, no more than 15 of those in the preceding Election.

Provided always, and be it further enacted by the Authority aforesaid, That the Salaries of the Governors and Directors of the said Governor and Company shall continue and be the same as they now are; any By-law of the said Governor and Company to the contrary thereof in any wise notwithstanding.

Salaries of the Governors and Directors to continue as they now are.

C

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno vicesimo sexto

Georgii II. Regis.

An Act for the more effectual levying of the Duties upon Windows or Lights, in that Part of *Great Britain* called *Scotland*.

WHEREAS an Act of Parliament was made in the Twentieth year of the Reign of His present Majesty, intituled, An Act for repealing the several Rates and Duties upon Houses, Windows, and Lights; and for granting unto His Majesty other Rates and Duties upon Houses, Windows, and Lights; and for other Uses and Purposes in the said Act expresst: And whereas another Act of Parliament was made in the Twenty first year of the Reign of His present Majesty, intituled, An Act for explaining, amending, and farther enforcing the Execution of the said Act of the Twentieth of His present Majesty; by which several Amendments and Alterations of the aforesaid Act were made: And whereas those Acts have not proved effectual for raising and levying the Duties upon Windows or Lights in that Part of Great Britain called Scotland, and it is therefore necessary that some farther Provisions be made for that Purpose; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Duties and Rates by the said Acts imposed upon Windows or Lights in that Part of this Kingdom called Scotland, shall from and

Preamble.

Act 20 *Geo.* II.

and 21 *Geo.* II.

and after the Fifteenth Day of May, in this present Year One thousand seven hundred and fifty three, be raised, levied, and collected, in Manner herein after-mentioned; that is to say, The Commissioners of the Land Tax who have been appointed for levying the Land Tax for the Year One thousand seven hundred and fifty three, and such Commissioners as shall be appointed for levying the Land Tax for the Year One thousand seven hundred and fifty four, and so in Time coming for all Years thereafter, shall upon the First Day of their Meeting, or at any subsequent Meeting, before the Second Day of August yearly, nominate and appoint One or more Assessors for surveying and numbering the Windows or Lights of all Houses subject to the said Duty within the several Parishes belonging to or lying within the several Counties or Boroughs wherein the said Commissioners for the said Tax shall be named and commissioned to act; and the Clerk to the said Commissioners of every Shire or Borough respectively shall give Notice to the Assessors so to be named, of their being named Assessors for the Purpose aforesaid; and that by a Note in Writeing subscribed by the Clerk to be delivered to them personally, or left at their Dwelling-houses within the Space of Ten Days after their being nominated or appointed as aforesaid; and the said Assessors shall upon such Day as the Commissioners shall appoint for that Purpose, which Day shall be within One Calendar Month after their Appointment, personally appear before the Commissioners of Supply, or any Quorum of them, at their ordinary Place of Meeting, and shall be there instructed by the Commissioners as to what is their Duty, and what they are to execute, as to the Way and Manner of surveying and numbering of the Windows or Lights subject to the Duty.

The Commissioners of the Land Tax to nominate Assessors, for surveying and numbering the Windows or Lights.

Notice of such Nomination to be given to the Assessors,

who are to appear before the Commissioners, and receive their Instructions.

And be it further enacted, That the said Assessors shall at the Time of their surveying and numbering the said Windows and Lights, leave a Note in Writing with the Occupier of the House, or at the House itself, of the Survey he hath made, bearing the Number of the Windows or Lights, and the Amount of the Duty with which the said Occupier is to be charged.

Assessors to leave a Note of the Survey and Charge at each House.

And be it enacted, That the said Assessors shall report the Survey by them made, and the Number of Windows or Lights in each House, and Duty with which the Occupier of every such House is charged, to the Commissioners of Supply, upon such Day as the Commissioners shall appoint, at the Time they give their Instructions; which Day shall be within Twenty Days after the Day of giving the Instructions to the said Assessors.

Assessors to report their Survey and Charge to the Commissioners of Supply.

And be it further enacted, That a Note of these Assessments shall forthwith be lodged by the Clerk of the Commissioners in the Hands of the Collector of the Cess or Land Tax for the said County; and that the Collector of the Cess or Land Tax for the time being for each County and Burgh within Scotland, shall be and is hereby appointed, impowered, and required to be Collector of the Duty imposed upon Windows or Lights; and the Cautioners or Sureties for every such Collector of the Cess or Land Tax, shall be farther ipso facto bound by virtue of this Act for the due and faithful Performance by such Collector, of all Parts of the Duty of the Office hereby committed to him, in Respect of the Duties on Windows or Lights, and that under the Penalty of One hundred Pounds Sterling; and that every such Collector of the Cess shall likewise be intitled to have an Allowance from the Receiver-general of the Sum of Three Pence per Pound, of the Money arising from the said Window Tax.

Note of the Assessment to be lodged with the Collector of the Land Tax, who is to collect the Window Tax.

Sureties bound in 100 *l.* for his due Performance of his Office.

3 *d. per* Pound allowed him.

And whereas by Occasion of the Death of Persons chosen to be Collectors of the Cess or Land Tax, in the several Shires or Boroughs in that Part of Great Britain called Scotland, or by other Accidents, it may happen that there shall be a Vacancy of that Office, and by Consequence no Collector of the said Duty on Windows or Lights; be it therefore enacted by the Authority aforesaid, That as often as it shall happen that there is a Vacancy in the Office of Collector of the Cess or Land Tax, in any Shire or Borough in Scotland, it shall and may be lawful for the Barons of the Court of Exchequer in Scotland, or any Two or more of them, upon the Application of the Receiver General or Surveyor General of the Duties on Windows or Lights, or either of them, to nominate and appoint a Person to officiate as Collector of the Duty on Windows or Lights within such County or Borough, during the Vacancy of the Office of Collector of the Cess or Land Tax within such County or Borough; and the Person or Persons so to be appointed by the said Barons, shall have all and every the Powers and Duties concerning the raising, collecting, and paying over the said Duty on Windows or Lights, that the Collector of the Cess or Land Tax, and of the said Duty, would have had by virtue of this Act; and shall also be intitled to receive from such Shire or Borough, for and during the Time of his Service, the like Salary or Allowance as was given to the last Collector of the Land Tax for such Shire or Borough; and that over and above the Allowance of Three Pence in the Pound of the Du-

Vacancy of Collector to be filled up by the Barons of the *Exchequer*.

ties on Windows or Lights that shall be collected by him during the Time of his acting in such Office.

Occupiers of Houses to pay the Duty half-yearly.

And be it enacted, That the Occupiers of each House, the Windows or Lights whereof are to be charged with the said Duty, shall, by themselves, or others for their Behoof, pay in the Duty with which they are charged, on or before the Twenty ninth Day of September, yearly, for the Half Year betwixt Whitsunday and Martinmas Day; and on or before the Twenty fifth Day of March, yearly, for the Half Year betwixt Martinmas and Whitsunday, to the Collector of the Cess personally, or at his Office by him held for receiving the Land Tax, unless such Occupier shall enter an Appeal against the Assessment made; in which Case such Appeal shall be discussed before Payment in manner herein after directed, and shall be made only within Ten Days after discussing or dismissing such Appeal, in the Manner herein after provided; and that every such Occupier shall, in case of his not paying in the Duties with which he is charged, to the Collector of the Cess, upon the Day upon which he is hereby appointed to pay the same, or within Three Days thereafter, forfeit Treble the Value and Extent of the Duty with which he stands charged.

Provision in case of an Appeal.

On Nonpayment to forfeit Treble the Value and Extent of the Duty.

Duties and Forfeitures how to be recovered.

And be it further enacted, That the Duties by the said Acts imposed, and likewise all Penalties, Triple Values, and Forfeitures incurred by virtue of this Act, shall be recovered at the Suit of the respective Collectors, by distraining or poynding, according to the Forms of the Law of Scotland, upon Warrants to be granted and subscribed by any Two of the Commissioners of Supply, or by the Sheriff, or Depute Sheriff, of the County from whom such Warrant shall be required, and they are hereby respectively required to grant the same under the Penalty of Ten Pounds Sterling, toties quoties, upon Certificate made to them, or either of them, by the Collector of the Cess, that such Penalties or Forfeitures are incurred, and such Duties resting, and not duly paid, which Warrants shall be executed by the Constables or Sheriff Officers of the County; and the Goods or Effects so poynded or distrained shall be valued and appraised by any Two Persons, to be appointed by the Sheriff Officer or Constable to value and appraise such Goods, which Two Persons shall be obliged to value the same under the Penalty of Forty Shillings Sterling, for each Neglect or Refusal; and which Valuation shall be made upon the Ground, or at the House where the same were poynded and distrained, and may and shall be sold and disposed of at the Value, by the Officer or Constable who does

Appraisement and Sale of Goods distrained.

poynd or diſtrain the ſame; and the Value to be applied in the firſt Place, to the Satisfaction and Payment of the Duty, Triple Value, or Penalty, owing by the Perſon whoſe Goods are ſo poynded; and in the ſecond Place, to the Payment for the Trouble of the Officer or Conſtable ſo poynding, at the Rate of Two Shillings per Pound of the Duty, Triple Value, or Penalty, for which the Goods ſhall be poynded or diſtrained, unleſs the Owner, from whom the ſame were poynded or diſtrained, ſhall redeem the ſame by Payment of the appraiſed Value, within the Space of Four Days after the poynding and Valuation, to the Officer who poynded the ſame; and in caſe any Surplus ſhall remain of the Price or Value after Payment of the Duty due or Penalty incurred, and after Payment of what is allowed to be retained by the Officer or Conſtable in manner herein directed, ſuch Surplus ſhall be returned to the Owner from whom the Goods were diſtrained; and in caſe no Purchaſer or Buyer do appear at the ſaid Sale, that the ſaid Goods or Effects ſo poynded or diſtrained ſhall be conſigned and lodged in the Hands of the Sheriff Depute of the County, or his Subſtitute, and if not redeemed by the Owner within the Space of Four Days after the Conſignment in the Hands of the ſaid Sheriff, that the ſame ſhall be rouped, ſold, and diſpoſed of, by Order of the Sheriff, in ſuch Manner, and at ſuch Time and Place, as he ſhall appoint, he always being liable to the Payment of the Duty, Triple Value, or of the Penalty or Penalties incurred, to the Collector of the Ceſs, and to the Officer or Conſtable who ſhall have poynded the ſame, for their Trouble and Expence as above ſtated, in caſe the Value of the Goods ſo ſold ſhall amount to the Extent of the Duty and Penalties incurred, and to the Fees due to the Officer or Conſtable; and ſhall be in the third Place intitled to One Shilling per Pound of the Value of the Goods ſo diſpoſed of, for his own Pains and Trouble, after Preference and Allowance of the Duty or Penalties, and of what is appointed to be paid to the Officer or Conſtable for their Pains; and that there ſhall likewiſe be allowed to the Officer or Conſtable ſo poynding, the Expence of preſerving or maintaining the Goods or Cattle ſo poynded, during the Four Days allowed to the Owner to redeem them, and the Expence of the Sale; and in like Manner the Expence ſhall be allowed to the Sheriff for preſerving and maintaining the Goods or Cattle diſtrained, during the Four Days that the Owner is allowed to redeem, after Conſignment in his Hands, as alſo the Expence of the Sale.

Application of the Money ariſing by Sale of the Goods.

If there ſhall be no Purchaſer, the Diſtreſs to be lodged with the Sheriff Depute, and to be ſold by him if not redeemed within 4 Days;

1 *s.* *per* Pound allowed him for his Trouble, *&c.*

And

The Duties and Penalties to be paid out of the Sale to the Collector of the Land Tax.

And be it further enacted, That the Officer or Constable who shall dispose of such Goods or Cattle, so poynded, distrained, and sold, shall be bound to pay in the Sums arising from the Sale, in so far as extends to the Duties or Penalties for which the same were poynded, to the Collector of the Cess or Land Tax, within Ten Days after Receipt of the Price, allowing always what is above allowed for his own Pains and Expence; and that in like Manner, if the Goods or Cattle distrained shall be disposed of by the Sheriff, as before directed, he shall, within Four Days after Receipt of the Price, be obliged to pay in the same to the Collector of the Cess, after Deduction of what is appointed to be paid to the Officer or Constable who made the poynding; and after Deduction of what is above allowed to be retained by him for his own Pains and Expence; and shall remain liable to the Collector of the Cess until Payment, and subject to be poynded and distrained therefore in the same Manner as is above provided with regard to any Person liable to Duties or Penalties in virtue of this Act.

Collector to pay over the same to the Receiver General, half-yearly.

And be it enacted, That every such Collector of the Cess or Land Tax, and Duties on Windows or Lights, shall pay over to the Receiver General at Edinburgh all such Monies as he shall have received in respect of the Duties or Penalties aforesaid, in Manner, and upon the Days of Payment following; that is to say, The Duties or Penalties arising half-yearly betwixt Whitsunday and Martinmas, on or before the Twenty fifth Day of December in such Year; and the Duties and Penalties arising between Martinmas and Whitsunday, on or before the Twenty fourth Day of June immediately following.

Persons aggrieved by the Assessment;

or Collector if the Crown be injured thereby, may appeal to the Commissioners of Supply.

And be it further enacted, That it shall be in the Power of the Persons liable and assessed for the Duties aforesaid, in case they shall conceive themselves to be injured by the Assessment and Charge made upon them by the Surveyor or Assessor; or to the Surveyor or Collector, if he shall judge the Crown to be leased by the Assessment or Charge made, to appeal to the Commissioners of Supply.

Occupier to give a Note of his Grievance to the Collector, within 15 Days after the Charge is delivered to him.

Provided always, That every Occupier of a House who shall conceive himself to be aggrieved by the Assessment or Charge made upon him for his Windows or Lights, shall, within the Space of Fifteen Days after the Note in Writing of his Charge being delivered to him, or left at his House by the Assessor or Surveyor, by himself, or some other Person acting on his Behalf, deliver, or cause to be delivered, to the Collector of the Cess at his Office, a Note in Writing of the Wrong or Grievance of which such Per-

son complains, and whereof he shall be minded to seek Redress by Appeal; and such Collector is hereby required to make an Entry in a Book to be kept by him for that Purpose, of all such Notices given to him, from time to time, and to lay the same before the said Commissioners at their First Meeting; and every such Collector is farther hereby required, upon Demand made for that Purpose by the Assessors or Surveyors, to give them Inspection and Leave to take a Copy of all such Notices of Appeals, that they may attend the Meeting of the said Commissioners, prepared to answer the same in support of their Charge.

Collector to make Entry of such Notices,

and give a Copy thereof on Demand to the Surveyors.

And be it further enacted, That in case the Party giving such Notice of an Appeal or Complaint, shall neglect to insist therein before the said Commissioners at their next General Meeting for discussing of Appeals, to be held half-yearly, in Manner herein after-mentioned; then, and in that Case, such Complaint or Appeal shall be held to be fallen from, and the Charge or Assessment therein referred to shall stand in full Force.

Appellant not prosecuting the Appeal, the Charge to stand good.

And be it enacted, That the Commissioners shall hold a General Meeting for discussing of Appeals, upon the First Tuesday of August yearly, and another upon the First Tuesday of March yearly, and upon such other Days as the said Commissioners shall, from time to time, appoint for that Purpose: And in case either the Surveyor, or the Person so appealing or complaining, shall be and declare themselves dissatisfied with the Determination made by the said Commissioners upon such Appeal, it shall and may be lawful to and for either of them so dissatisfied respectively, to proceed and take the Benefit of the Provision made in such Case in the said Act of the Twenty first Year of His Majesty's Reign.

Commissioners to hold General Meetings for discussing of Appeals.

Surveyor or Appellant dissatisfied with their Determination, may take the Benefit of the Provision in the Act of 21 *Geo.* II.

And be it further enacted, That in case the Assessors to be appointed, from time to time, by the said Commissioners, shall perform the Duty committed to them, by making their Assessments, and bringing in their Certificates, as by the said former Acts is directed, then, and in that Case, the Surveyors and Inspectors appointed or to be appointed in the Manner directed by the said Act of the Twentieth of His Majesty, shall proceed according to the Powers thereby given them, to examine and supervise such Assessments; and as often as they shall find any Person Occupier of a House to have been under-rated, give Notice in Writing of such Neglect or Failure to the Occupier of such House, and also to the Collector hereby appointed; and such additional Charge may and shall be paid, recovered, or the Justice thereof tried and discussed in the Manner, and according to the Rules herein mentioned;

Surveyors to supervise the Assessments,

and where any shall be under-rated, to give Notice to the Occupier and Collector, &c.

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Commissioners neglecting to appoint Assessor, or Assessors neglecting their Duty,

and in case at any Time the said Commissioners shall neglect to appoint Assessors, or in case the Assessors by them appointed shall fail or neglect to make the Inspection, and bring in the Certificates required of them, that then, and in such Case, it shall and may be lawful to and for the said Surveyor or Surveyors to make a Certificate in Writing under their respective Hands of every Dwelling-house inhabited, or charged by the said Acts of the Twentieth and Twenty first Years of His Majesty's Reign, within the Limits of those Parishes or Places in which they severally act, and of the Number of Windows or Lights in each House, with the Names of the several Occupiers of each respective Dwelling-house, and of the Sums of Money which they ought to pay by virtue of the said Acts,

Surveyors to make out a Certificate of the Duties,

and leave a Note of the Charge at the Occupier's House,

and to deliver or leave a Note in Writing with the Occupier of every House that shall have been by them respectively surveyed, or at the House itself, of such Survey bearing the Number of the Windows or Lights, and the Extent of the Duty with which the Occupier of such House is charged, and shall also deliver such Certificates as aforesaid to the respective Collectors of the Rates and Duties upon Windows or Lights hereby appointed; whereupon the respective Occupiers shall, in the Manner, at the Times, and under the Penalties above-mentioned, pay or deliver their respective Duties to such Collector; and in case of the Failure or Neglect of them to make such Payments as aforesaid, such Collector shall, according to the Certificates delivered to him by the Surveyor, call for, recover, and bring in the respective Duties and Penalties due and incurred by the Persons so proving deficient; and being recovered pay over the same to the Receiver General at Edinburgh, at the Times, and in the Manner above directed,

and to deliver the Certificates to the Collectors, who are to levy and pay over the Duties accordingly.

Where the Charge shall be contraverted. Distress not to be made, till the Appeal be determined

Provided always, That in case the Occupier of any House conceiving himself to be aggrieved by such Survey, shall enter and give Notice of his Complaint or Appeal as aforesaid, then, and in that Case, the Collector shall not proceed to recover by Distress such Part of the Charge as shall be complained of, or contraverted by such Appellant, until the final Discussion of the Appeal, either by its being fallen from, or prosecuted to a final Decision, in Manner above-mentioned.

FINIS.

Anno Regni
GEORGII II.

REGIS

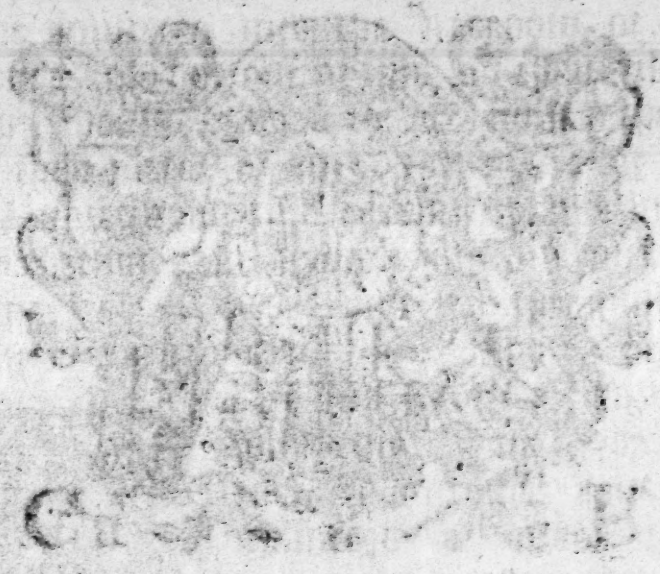
Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



Anno vicesimo sexto

Georgii II. Regis.

An Act for enlarging and regulating the Trade into the *Levant* Seas.

WHEREAS King James the First, by his Letters Patent, bearing Date the Fourteenth Day of December, in the Third Year of his Reign, did grant to several Persons therein named, and to their Sons, and such others as should then after be admitted or made free, that they should be One Fellowship, and One Body Corporate and Politick, by the Name of The Governor and Company of Merchants of *England*, trading into the *Levant* Seas, and by the same Name should have perpetual Succession; and did direct, That all Persons, Subjects of this Realm, being mere Merchants, which then were, or after the Date of the said Letters Patent should happen to be, under the Age of Twenty six Years, or not out of his or their Apprenticeships, should be admitted into the Freedom of the said Company, if he or they should demand the same within One Year next after he or they should attain the Age of Twenty six Years, or within One Year after the End of his or their Apprenticeships, and should offer and pay to the said Governor and Company for his or their Admittance, the Sum of Twenty five Pounds; and did further Preamble.

further direct, That all Persons, Subjects of this Realm of England, being mere Merchants, above the Age of Twenty six Years, should be admitted into the Freedom of the said Company, upon paying a Fine of Fifty Pounds; and did also direct, That all and every the Sons of such as were, or should be free of the said Company, and also all their Apprentices employed in that Trade for the Space of Three years or upwards, within the Limits of the said Letters Patent, should after the End of their Apprenticeships be admitted to the Freedom of the said Company, on Payment of the Sum of Twenty Shillings only: And whereas King Charles the Second, by his Letters Patent, bearing Date the Second Day of April, in the Thirteenth year of his Reign, did ratify and confirm the said Letters Patent of King James the First; and did further direct, That no Person residing within Twenty Miles of the City of London, should be admitted into the Freedom of the said Company, or have any Benefit of the Privileges thereof, unless he be made free of the said City: And whereas the Trade into the Levant Seas has very much decreased, and the taking of less Fines for the Admission of Persons into the Freedom of the said Company, and the not restraining of the Freedom thereof to mere Merchants, and to such Persons as, residing within Twenty Miles of the City of London, are free of the said City, and the securing to all Persons admitted into the said Company, the Liberty of exporting at all Times hereafter, all Sorts of Goods and Merchandize (not prohibited by Law to be exported) to any Port or Place within the Limits of the said Letters Patent, from what Parts of Great Britain, and at what Time, and in what Quantity, and on board what Ships (navigated according to Law) they shall respectively think proper, and also of importing in the like Manner from any Port or Place within the Limits of the said Letters Patent, Raw Silk, or any other Goods or Commodities purchased within the said Limits (not prohibited by Law to be imported) are the most probable Means of recovering and extending the said Trade for the Benefit of this Nation; May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty four, every Subject of Great Britain, desiring Admission into the said Company of Merchants

of

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of England, trading into the Levant Seas, commonly called or known by the Name of The Turky Company, shall, upon Request for that Purpose, made by himself, or any other Person in his Behalf, to the Governor, or Deputy Governor, of the said Company for the time being, be admitted into the said Company, within the Space of Thirty Days after such Request shall be made, and shall have, use, and enjoy, all the Liberties, Privileges, Jurisdictions, Franchises, Powers, and Authorities, granted to the said Company by the said Letters Patent, as largely, fully, and amply, to all Intents, Constructions, and Purposes, as any Member of the said Company could, can, or may have, use, and enjoy the same, by virtue of the said Letters Patent, such Subject paying, or tendering, or causing to be paid or tendered, for such his Admission, for the Use of the said Company, the Sum of Twenty Pounds and no more; any thing in the said Letters Patent, or either of them, to the contrary in any wise notwithstanding.

Any Subject of *Great Britain* desiring Admission, and paying 20 *l.* to be made free of the *Turky Company*.

And be it enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty four, the following Oath in lieu of the Oath heretofore taken by Persons upon their Admissions to their Freedoms in the said Company, shall be taken by every Person upon his Admission to his Freedom, either before the Governor or Deputy Governor of the said Company, or before Two of His Majesty's Justices of the Peace (who are hereby respectively impowered and required to administer the said Oath) which Justices are hereby required to certify under their Hands and Seals, that the said Oath was taken by on the Day of before us, Two of His Majesty's Justices of the Peace in and for

Oath to be taken on Admission to the Freedom of the Company.

YOU swear to be good, faithful, and true to our Sovereign Lord King *George*, His Heirs, and Successors; you shall be obedient and assistant to the Governor, his Deputy, and Assistants of the Company of Merchants of *England* trading into the *Levant* Seas, in all lawful Matters; you shall truly hold and keep to your Power (having no singular Regard to yourself, to the Hurt and Prejudice of the Common Weal of the said Company) all Statutes, Acts, and Ordinances, which have been duly made, according to the Grant of Privileges granted to the said Company, and consistent with an Act of Parliament made in the Twenty sixth Year of the Reign of His Majesty King *George* the Second, intituled, *An Act for enlarging and regulating the*

The Oath.

Trade into the Levant *Seas*; the Secrets of the said Company you shall not disclose; and if you shall know any Person or Persons, that intend any Hurt, Harm, or Prejudice to our aforesaid Sovereign Lord the King's Majesty, His Heirs, or Successors, or to the said Company, or the Privileges of the said Company, you shall give Knowledge thereof to the said Governor, Deputy, or Assistants, or to some of them; and you shall not colour or free any Goods, belonging to any One not free of the said Company.

So help you God.

Persons admitted to their Freedom, may separately or jointly export Goods from any Port in *Great Britain* to any Port within the Limits of the Letters Patent granted to the Company, paying the King's Duties, and other Charges of the Company.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty four, it shall and may be lawful to and for all and every Person and Persons, being free of the said Company as aforesaid, separately or jointly to export, or cause to be exported, from any Port or Place in Great Britain, to any Port or Place within the Limits of the said Letters Patent in any British or Plantation built Ships (navigated according to Law) at any Time, and to any Person or Persons whomsoever, being Freemen of the said Company, or Sons or Apprentices of Freemen (such Freemen, Sons, or Apprentices, being his Majesty's Christian Subjects) so long as such Person or Persons shall remain under, and submit to, the Protection and Direction of the British Ambassador and Consuls respectively for the time being, any Goods, Wares, or Merchandizes whatsoever, not prohibited by Law to be exported; and also to import, in like Manner, from any Port or Place within the Limits of the said Letters Patent, Raw Silk, or any other Goods, Wares, or Commodities, purchased within the said Limits (not prohibited by Law to be imported) upon paying or securing the Customs, and other Duties payable for the same, to His Majesty, His Heirs, and Successors, by virtue of any Law now in Force, or hereafter to be made; and upon paying such Impositions or Sums of Money, as shall be assessed and charged upon all Goods, Wares, or Merchandizes, to be exported or imported as aforesaid, or upon any Ships laden with the same, for defraying the necessary Expences of the said Company; any thing in the said Letters Patent, or either of them, or any Ordinance, Constitution, or By-law of the said Company, made or to be made, to the contrary in any wise notwithstanding.

Exportation of Gold and Silver subject to the By-laws of the Company.

Provided always, That the Exportation of Gold or Silver, either in Foreign Coin or Bullion, shall remain subject

subject to the By-laws of the said Company, made or to be made in that Behalf.

By-laws which shall be made not valid, unless confirmed at a subsequent general Court,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Governor, or Deputy Governor, and Company, in general Court assembled, to make such Rules, Ordinances, or By-laws, for the good Government of the said Company, as the major Part of the Members present at such general Court shall think necessary; but no such Rule, Ordinance, or By-law, shall be valid, or of any Force or Effect whatsoever, unless the same be confirmed at a subsequent general Court, to be held at least One Calendar Month after the general Court, at which such Rule, Ordinance, or By-law was made; and if any Seven or more of the Freemen of the said Company shall think themselves aggrieved by any Rule, Ordinance, or By-law, made or to be made, it shall be lawful for them to present an Appeal in Writing against the same, to the Commissioners for Trade and Plantations, who are hereby impowered and required, with all convenient Speed, to hear such Appeal, and to approve or disapprove such Rule, Ordinance, or By-law, and in such Manner, as to them, or the major Part of them present, shall appear fit and reasonable.

and if 7 Freemen shall think themselves aggrieved thereby, they may appeal to the Commissioners for Trade, &c.

but such Law is to be in Force till the Appeal is determined.

Provided always, That such Rule, Ordinance, or By-law, shall be and continue in Force, till such Appeal be so heard, and such Rule, Ordinance, or By-law, be disapproved, as aforesaid; but in case such By-law, Rule, or Ordinance, shall be disapproved on the hearing of such Appeal, as aforesaid, then such Rule, Ordinance, or By-law, shall, from and after such Disapproval only, be deemed null and void to all Intents and Purposes whatsoever.

Limitation of the Time of bringing Appeals.

Provided also, That in case any such Appeal shall be brought against any future Rule, Ordinance, or By-law, to be made by the said Governor and Company, such Appeal shall be brought within Twelve Calendar Months after such Rule, Ordinance, or By-law, shall be so made and confirmed, as aforesaid; and if any such Appeal shall be brought against any Rule, Ordinance, or By-law, of the said Company now in Force, such Appeal shall be brought within Twelve Calendar Months after the said Twenty fourth Day of June, One thousand seven hundred and fifty four.

Notice of Appeal to be given.

Provided also, That the Persons appealing against any such Rule, Ordinance, or By-law, shall, at the same Time, give Notice in Writing of such Appeal to the Governor, Deputy Governor, or Secretary of the said Company, for the time being.

Provided

By-laws to be of no greater Force than they would have had, if no Appeal had been granted.

Provided nevertheless, That no such Rule, Ordinance, or By-law, shall be of any greater or other Force or Validity, than the same would or ought to have been if no such Appeal had been given by this Act.

Notice of holding a general Court for making By-laws, to be published in the *London Gazette*.

Provided always, and it is hereby further enacted, That whensoever any general Court of the said Company shall be appointed to be held for the making of any Rule, Ordinance, or By-law, publick Notice thereof shall be given in the London Gazette, at least Twenty Days before the Time appointed for the holding of such general Court.

Rules made for preventing Infection, to be in Force.

Provided always, and it is hereby enacted, That all Rules, Orders, and Regulations, made for preventing Infection, shall be, and remain in full Force and Virtue, as if this Act had never passed.

Goods liable to retain the Infection, and coming without a clean Bill of Health, not to be landed in *Great Britain*, &c. unless the same have been opened and aired in some of the Foreign Lazarets.

And be it further enacted by the Authority aforesaid, That no Goods or Merchandizes liable to retain the Infection of the Plague, and coming from the Levant, without a clean Bill of Health, shall be landed in any Part of Great Britain or Ireland, or of the Isles of Guernsey, Jersey, Alderney, Sark, or Man, unless it shall appear to the Satisfaction of His Majesty, His Heirs, or Successors, or of His or Their Privy Council, that the said Goods or Merchandizes have been sufficiently opened and aired in the Lazarets of Malta, Ancona, Venice, Messina, Leghorn, Genoa, and Marseilles, or One of them.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno Regni

GEORGII

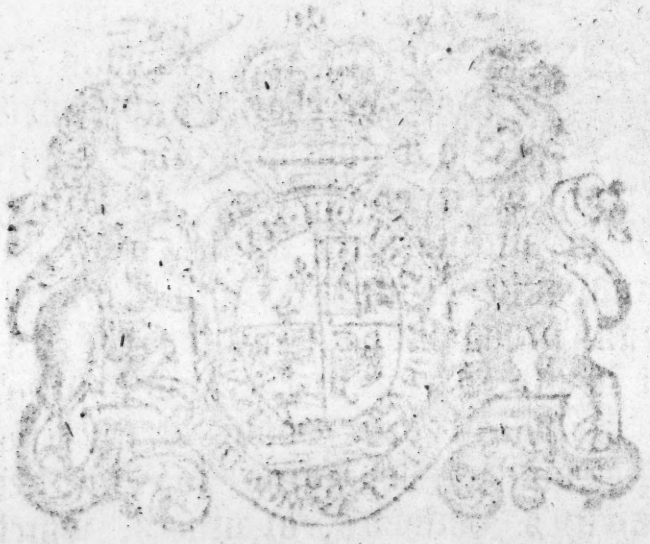
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ

VICESIMO SEXTO.

At the Parliament begun and holden at Westminster the Tenth Day of November, Anno Dom. 1752. in the Twenty-first Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland King, Defender of the Faith, &c.

And from thence continued by Several Prorogations to the Eleventh Day of January, 1753. being the Sixth Session of this present Parliament.



LONDON:

Printed by Thomas Baskett, Printer to the King's most Excellent Majesty; and by the Assigns of Robert Baskett. 1753.

Anno vicesimo sexto

Georgii II. Regis.

An Act for enforcing the Laws against Persons who shall steal or detain shipwrecked Goods; and for the Relief of Persons suffering Losses thereby.

WHEREAS notwithstanding the good and salutary Laws now in being against plundering and destroying Vessels in Distress, and against taking away shipwrecked, lost, or stranded Goods, many wicked Enormities have been committed, to the Disgrace of the Nation, and to the grievous Damage of Merchants and Mariners of our own and other Countries: For Remedy thereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person or Persons shall plunder, steal, take away, or destroy any Goods or Merchandize, or other Effects, from or belonging to any Ship or Vessel of His Majesty's Subjects, or others, which shall be in Distress, or which shall be wrecked, lost, stranded, or cast on Shore, in any Part of His Majesty's Dominions (whether any living Creature be on board such Vessel or not) or any of the Furniture, Tackle, Apparel, Provision, or Part of such Ship or Vessel; or shall beat or wound, with Intent to kill or destroy, or shall otherwise wilfully

Preamble.

Persons convicted of plundering shipwrecked Goods, &c.

or of obstructing the Escape of any Person from a Wreck, or of putting out false Lights to deceive Vessels, to suffer Death without Benefit of Clergy.

wilfully obstruct the Escape of any Person endeavouring to save his or her Life from such Ship or Vessel, or the Wreck thereof; or if any Person or Persons shall put out any false Light or Lights, with Intention to bring any Ship or Vessel into Danger, then such Person or Persons so offending shall be deemed guilty of Felony, and being lawfully convicted thereof, shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Where Goods of small Value, shall be stolen without any Circumstances of Cruelty, the Offender may be indicted for Petit Larceny.

Provided always, and be it enacted by the Authority aforesaid, That when Goods or Effects of small Value shall be stranded, lost, or cast on Shore, and shall be stolen without Circumstances of Cruelty, Outrage, or Violence; then, and in such Cases, it shall be lawful for any Person or Persons to prosecute for such Offence by way of Indictment for Petit Larceny; and the Offenders being thereof lawfully convicted, shall suffer such Punishment as the Laws, in Cases of Petit Larceny, do enjoin or require.

Justices upon Information given them of any shipwrecked Good being stolen, or concealed, to issue search Warrants;

And be it further enacted by the Authority aforesaid, That it shall be lawful for any One or more of His Majesty's Justices of the Peace, upon Information made before him or them, upon Oath (which Oath all Justices are hereby impowered to administer) of any Part of the Cargo or Effects whatsoever belonging to any Ship or Vessel lost or stranded upon or near the Coasts aforesaid, being unlawfully carried or conveyed away, or concealed in any House, Out-house, Barn, or other Place, or of some reasonable Cause of Suspicion thereof, to issue his or their Warrant or Warrants for the searching of such House, Out-house, Barn, or other Place, as in other Cases of stolen Goods: And if the same shall be found in such House, Out-house, Barn, or other Place or Places, or upon or in the Custody or Possession of any Person or Persons not legally authorized or intitled to keep and withhold the same; and the Owner or Occupier of such House, Out-house, Barn, or other Place, or the Person or Persons upon whom, or in whose Custody or Possession the same shall be found, shall not immediately, upon Demand, deliver the same to the lawful Owner or Owners thereof, or to such other Person or Persons as shall be lawfully authorized to demand the same; or shall not give a good Account, to the Satisfaction of the said Justice or Justices, how he, she, or they came by, or became possessed thereof, it shall and may be lawful to and for such Justice or Justices, upon Proof of such Refusal, and he and they is and are hereby required to commit the said Offender or Offenders to the Common Gaol for the Space of Six Months, or until he, she, or they shall have paid

and the Persons in whose Custody the Goods shall be found, not delivering up the same, or giving a satisfactory Account how they came possessed thereof,

to be committed for Six Months, or until Payment of Treble Value of the Goods.

to

to such lawful Owner or Owners, or to the Person or Persons lawfully authorized to receive the same, Treble the Value of the Goods or Things so by him, her, or them unlawfully detained.

Goods offered to Sale, suspected to be shipwrecked, and stolen, to be stopt,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall offer or expose to Sale any Goods or Effects whatsoever, belonging to any Ship or Vessel, lost, stranded, or cast on Shore, as aforesaid, and unlawfully taken away, or reasonably suspected so to have been; then, and in every such Case, it shall be lawful for the Person or Persons to whom the same shall be so offered for Sale, or any Officer of the Customs or Excise, or any Constable, Headborough, or Tythingman, or other Peace Officer, to stop, take, and seize the said Goods and Effects; and that he or they shall, with all convenient Speed, carry the same, or give Notice of such Seizure, to some One or more of His Majesty's Justice or Justices of the Peace; and if the Person or Persons who shall have offered the said Goods or Effects to Sale, or some other Person or Persons on his, her, or their Behalf, shall not appear before the said Justice, within Ten Days next after such Seizure, and make out, to the Satisfaction of the said Justice, the Property of the said Goods or Effects to be in him, her, or them, or in the Person or Persons by whom he, she, or they, was or were employed to sell the same; then the said Goods or Effects shall, by Order of the said Justice, be forthwith delivered over to or for the Use of the rightful Owner or Owners thereof, upon Payment of a reasonable Reward for such Seizure (to be ascertained by the said Justice) to the Person who seized the same; and such Justice shall and may commit the Person or Persons who shall so have offered or exposed the said Goods or Things to Sale as aforesaid, to the Common Gaol for the Space of Six Months, or until he, she, or they, shall have paid to such lawful Owner or Owners, or to the Person or Persons lawfully authorized to receive the same, Treble the Value of the said Goods or Effects, so by him, her, or them, unlawfully offered to Sale, as aforesaid.

and Notice thereof to be given to a Justice;

and the Person offering the same to Sale not making out his Property therein,

the Goods to be returned to the Owner,

and the Offender to be committed for 6 Months, or till Payment of Treble Value of the Goods.

And be it further enacted by the Authority aforesaid, That in case any Person or Persons not employed by the Master, Mariners, or Owners, or other Persons lawfully authorized, in the Salvage of any Ship or Vessel, or the Cargo or Provision thereof, shall, in the Absence of Persons so employed or authorized, save any such Ship, Vessel, Goods, or Effects, and cause the same to be carried, for the Benefit of the Owners or Proprietors, into Port, or to any near adjoining Custom-house or other

Persons who shall save, and carry any Vessel or Goods into Port, &c. for the Benefit of the Owners, and give Notice thereof;

Place of ſafe Cuſtody, immediately giving Notice thereof to ſome Juſtice of the Peace, Magiſtrate, or Cuſtom-houſe or Exciſe Officer, or ſhall diſcover to any ſuch Magiſtrate or Officer where any ſuch Goods or Effects are wrongfully bought, ſold, or concealed, then ſuch Perſon or Perſons ſhall be intitled to a reaſonable Reward for ſuch Services, to be paid by the Maſters or Owners of ſuch Veſſels or Goods, and to be adjuſted in caſe of Diſagreement about the Quantum, in like Manner as the Salvage is to be adjuſted and paid by virtue of the Statute made in the Twelfth Year of the Reign of Her late Majeſty Queen Anne, intituled, An Act for the preſerving all ſuch Ships, and Goods thereof, which have happened to be forced on Shore, or ſtranded upon the Coaſts of this Kingdom, or any other of Her Majeſty's Dominions, or elſe in the Manner herein after preſcribed, as the Caſe ſhall require.

or who ſhall diſcover where any ſuch Goods are wrongfully bought, ſold, or concealed, are intitled to the Reward;

and the *Quantum* in caſe of Diſagreement is to be adjuſted according to Act of 12 *Annæ*.

And be it further enacted by the Authority aforeſaid, That for the better aſcertaining the Salvage to be paid in purſuance of this preſent Act, and the Act before-mentioned, and for the more effectual putting the ſame Acts in Execution, the Juſtice of the Peace, Mayor, Bailiff, Collector of the Cuſtoms, or chief Conſtable, who ſhall be neareſt to the Place where any Ship, Goods, or Effects ſhall be ſtranded or caſt away, ſhall forthwith give publick Notice for a Meeting to be held as ſoon as poſſible of the Sheriff or his Deputy, the Juſtices of the Peace, Mayors, or other chief Magiſtrates of Towns Corporate, Coroners, and Commiſſioners of the Land Tax, or any Five or more of them, who are hereby required and impowered to give Aid in the Execution of this and the ſaid former Act, and to employ proper Perſons for the Saving of Ships in Diſtreſs, and ſuch Ships, Veſſels, and Effects, as ſhall be ſtranded or caſt away; and alſo to examine Perſons upon Oath touching or concerning the ſame, or the Salvage thereof, and to adjuſt the Quantum of ſuch Salvage, and diſtribute the ſame among the Perſons concerned in ſuch Salvage, in caſe of Diſagreement among the Parties, or the ſaid Perſons; and that every ſuch Sheriff, Juſtice of the Peace, Mayor, chief Magiſtrate, Coroner, Lord of a Manor, Under Sheriff, or Commiſſioner of the Land Tax, attending and acting at ſuch Meeting, ſhall be paid Four Shillings a Day for his Expences in ſuch Attendance out of the Goods and Effects ſaved by their Care or Direction.

Where any Veſſel or Effects ſhall be ſtranded, publick Notice to be given for a Meeting of the Sheriff, Juſtices, and other Magiſtrates, &c.

who are to aid in ſaving the Veſſel and Goods, &c.

and to adjuſt, and diſtribute the *Quantum* of the Salvage;

and 4s. a Day is allowed for their Attendance.

Provided always, and be it further enacted by the Authority aforeſaid, That if the Charges and Rewards for Salvage, directed to be paid by the ſaid Act of the Twelfth Year of the Reign of Her ſaid late Majeſty Queen Anne, and

If the Charges of Salvage ſhall not be paid, the Officer of the Cuſtoms may raiſe the ſame by a Bill of Sale of the Veſſel or Cargo;

and by this present Act, shall not be fully paid, or sufficient Security given for the same within Forty Days next after the said Services performed, then and in such Case it shall be lawful for the Officer of the Customs concerned in such Salvage, to borrow or raise so much Money as shall be sufficient to satisfy and pay such Charges and Rewards, or any Part thereof then remaining unpaid, or not secured as aforesaid, by or upon One or more Bill or Bills of Sale, under his Hand and Seal, of the Ship or Vessel, or Cargo saved, or such Part thereof as shall be sufficient, redeemable nevertheless upon Payment of the principal Sum so borrowed, and Interest for the same after the Rate of Four Pounds per Centum per Annum.

which may be redeemed, upon Payment of the Principal and Interest.

And be it further enacted by the Authority aforesaid, That if Oath shall be made before any Magistrate, lawfully impowered to take the same, of any such Plunder or Theft, and the Examination in Writing thereupon taken shall be delivered to the Clerk of the Peace of the County, Riding, or Division wherein such Fact shall be committed, or to his Deputy; or if Oath shall be made before any such Magistrate of the breaking any Ship, contrary to the aforesaid Act made in the Twelfth Year of the Reign of Her said late Majesty Queen Anne, and the Examination in Writing thereupon taken, shall be delivered to such Clerk of the Peace, or his Deputy; then such Clerk of the Peace shall cause the Offender or Offenders in any of the said Cases to be forthwith prosecuted for the same, either in the County where the Fact shall be committed, or in any County next adjoining; in which adjoining County any Indictment may be laid by any other Prosecutor; and if the Fact be committed in Wales, then the Prosecution shall or may be carried on in the next adjoining English County; and the necessary Charges of such Prosecutions by the Clerk of the Peace, shall be paid by the Treasurer of the County, Riding, or Division, where the Fact shall be committed, to such Amount as the Justices of the Peace in their General or Quarter Sessions shall order and ascertain the same; and if such Clerk of the Peace shall neglect or refuse to carry on such Prosecution in due Manner, he shall forfeit One hundred Pounds for every such Offence, to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; in which Action no Essoin, Protection, Wager of Law, or more than One Imparlance shall be allowed.

Where Oath shall be made of any such Plunder or Theft,

or of breaking a Ship, contrary to Act 12 *Annæ*, and the Examination shall be delivered to the Clerk of the Peace,

he is to prosecute the Offender;

and the Charges to be paid by the Treasurer of the County.

Clerk of the Peace neglecting to prosecute, forfeits 100*l.*

Proper Officers for putting this, and the Act of 12 *Annæ*, in Execution.

And be it further enacted by the Authority aforesaid, That the Commissioners of the Land Tax, the Deputy Sheriff, the Coroner, and the Officers of Excise in each County, Riding, and Division, shall be proper Officers for putting in Execution this present Act, and the said Act made in the Twelfth Year of the Reign of her late Majesty Queen Anne, together with those therein respectively named for that Purpose.

Act 3 *Geo.* I.

And whereas by an Act made in the Third Year of the Reign of His late Majesty King George the First, intituled, An Act for the better regulating of Pilots for the conducting of Ships and Vessels from *Dover*, *Deal*, and the Isle of *Thanet*, up the Rivers of *Thames* and *Medway*, it is enacted, That the Lord Warden of the Cinque Ports for the time being shall nominate and appoint, by an Instrument under his Hand and Seal, Three or more substantial Persons in each of the Cinque Ports, Two ancient Towns and their Members, to adjust and determine, within the Space of Twelve Hours, Differences which shall or may arise within the Jurisdiction of the Cinque Ports relating to the Salvage of Anchors and Cables from which Vessels shall or may be forced by Extremity of Weather: Now it is hereby enacted, That the Lord Warden of the Cinque Ports for the time being, and the Lieutenant of Dover Castle for the time being, and the Deputy Warden of the Cinque Ports for the time being, and the Judge Official, and Commissary of the Court of Admiralty of the Cinque Ports, Two ancient Towns, and the Members thereof for the time being, and all and every of them, and all and every other Person and Persons appointed or to be appointed by the Lord Warden of the Cinque Ports for the time being, pursuant to the said Act made in the Third Year of His late Majesty's Reign, shall be the Persons to put in Execution, within the Liberty and Jurisdiction of the Cinque Ports, Two ancient Towns and their Members, all the Powers and Authorities given and granted in and by this Act, and in and by the before-mentioned Act of Parliament, made in the Twelfth Year of Her said late Majesty Queen Anne; and also in and by the said Act made in the Fourth Year of the Reign of His late Majesty King George the First; and also shall and may execute, perform, and do, within the Jurisdictions aforesaid, all the Acts, Matters, and Things contained in this and the before-mentioned Statutes, in like and as full and ample Manner, to all Intents and Purposes, as any Justice or Justices of Peace, or any other Person or Persons, are by this and the

Proper Officers for putting this, and the Act of 12 *Annæ* in Execution, within the Liberty and Jurisdiction of the Cinque Ports, &c.

said Acts appointed or authorized to do in any other Part of the Kingdom.

Persons convicted of assaulting any Magistrate or Officer, &c. in the Exercise of his Duty, in the Salvage of any Vessel or Goods, to be transported for 7 Years.

And be it further enacted by the Authority aforesaid, That if any Sheriff, or his Deputy, Justice of the Peace, Mayor, or other Magistrate, Coroner, Lord of a Manor, Commissioner of the Land Tax, Chief Constable, or Petty Constable, or other Peace Officer, or any Custom-house or Excise Officer, or other Person lawfully authorized, shall be assaulted, beaten, and wounded, for or on account of the Exercise of his or their Duty, in or concerning the Salvage or Preservation of any Ship or Vessel in Distress, or of any Ship or Vessel, Goods or Effects, stranded, wrecked, or cast on Shore, or lying under Water, in any of His Majesty's Dominions, then any Person or Persons so assaulting, beating, and wounding, shall upon Trial, and Conviction, by Indictment at the Assizes, or General Gaol Delivery, or at the General or Quarter Sessions for the County, Riding, or Division, where such Offence shall be committed, be transported for Seven Years to some of His Majesty's Colonies in America, and shall be subject to such subsequent Punishment, in case of Return before that Time, as other Persons under Sentence of Transportation are by the Law subjected unto.

Justice, in the Absence of the Sheriff, may take a sufficient Force to repress any unjust Violence, &c.

And be it further enacted by the Authority aforesaid, That it shall be lawful for any One or more of His Majesty's Justices of the Peace, in case of Need, and in the Absence of the High Sheriff, to take sufficient Power of the County, to repress all unjust Violence, and duly to enforce the Execution of this Act.

Persons who are impowered to give Orders where any shall be assembled in Case of a Shipwreck, &c.

And to prevent Confusion among Persons assembled to save any Ship, Vessel, Goods, or Effects, as aforesaid, either for want of proper Orders, or by contradictory Orders; be it further enacted, That all Persons so assembled shall conform in the first Place to the Orders of the Master or other Officers or Owners, or other Persons employed by them; and for want of their Presence or Directions, then in the next Place to the Orders of the Persons authorized by this Act, or the aforesaid Act of Queen Anne, in the like Manner, in the following Subordination, as any of the said Persons shall happen to be present; that is to say, in the first Place, to the Orders of any Officer or Officers of the Customs; then of any Officer or Officers of the Excise; then of the Sheriff or his Deputy; then of any Justice or Justices of the Peace; then of the Mayor or Chief Magistrate of any Corporation; then of the Coroner; then of any Commissioners of the Land Tax; then of any Chief

Constable; then of any Petty Constable or other Peace Officers: And any Person whatsoever acting knowingly and wilfully contrary to such Orders, shall forfeit any Sum not exceeding Five Pounds, to be levied by Warrant of One Justice of the Peace; and in case of Non-payment the Offender shall be committed to the House of Correction for any Time not exceeding Three Months.

Persons acting contrary to Orders forfeit 5 *l.*

Provided always, and it is hereby enacted, That neither this Act, nor any thing herein contained, shall any way extend to deprive or prejudice His Royal Majesty, His Heirs or Successors, or any claiming under them, or any Patentee or Grantee of the Crown, or any Lord or Lords of any Manor or Manors, or other Person whomsoever, of or in relation to any Right which they or any of them have or may have or lawfully claim to any Wreck or Wrecks, or any Goods which are or shall be flotsam, jetsam, or lagan, but that such respective Rights shall be enjoyed in as full, ample, and beneficial a Manner, in every Respect, as if this Act had never been made.

Rights of the Crown, and of Lords of Manors, &c. to any Wreck, or Goods which shall be *flotsam*, *jetsam*, or *lagan*, reserved to them.

And be it further enacted by the Authority aforesaid, That the Officer of the Customs who shall act in the preserving of any Ship or Vessel in Distress, or the Cargo thereof, shall, as soon as conveniently may be, cause or procure all Persons belonging to the said Ship or Vessel, and others who can give any Account thereof, or of the Cargo thereof, to be examined upon Oath before some Justice of the Peace, as to the Name or Description of the said Ship or Vessel, and the Names of the Master, Commander, or Chief Officer and Owners thereof, and of the Owners of the said Cargo, and of the Ports or Places from or to which the said Ship or Vessel was bound, and the Occasion of the said Ship's Distress; which Examination the said Justices are hereby required to take down in Writing, and they shall deliver a true Copy thereof, together with a Copy of the said Account of the Goods, to the said Officer of the Customs, who shall forthwith transmit the same to the Secretary of the Admiralty for the time being, who shall publish, or cause to be published in the next London Gazette, so much thereof as shall or may be necessary for the Information of the Persons interested or concerned therein.

Examination on Oath to be taken of the Ship's Name, her Cargo, and Owners, &c.

and a Copy thereof to be transmitted to the Secretary of the Admiralty, and to be published in the *London Gazette*.

And be it further enacted by the Authority aforesaid, That the before-mentioned Act of Parliament made in the Twelfth Year of Her said late Majesty Queen Anne; and also an Act made in the Fourth Year of the Reign of His late Majesty King George the First, for inforcing and making perpetual the before-mentioned Act, and for inflicting the Punishment of Death on such as shall wilfully

The Acts of 12 *Annæ*, and 4 *Geo.* I. to be in Force where not altered by this Act.

burn or destroy Ships, shall in all Things remain in full Force, save only so far as the same are altered or changed by this present Act.

And be it further enacted by the Authority aforesaid, That this Act shall take place from the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and fifty three. Commencement of this Act.

Provided, That nothing in this Act contained shall extend or be construed to extend to that Part of Great Britain called Scotland. This Act not to extend to *Scotland*.

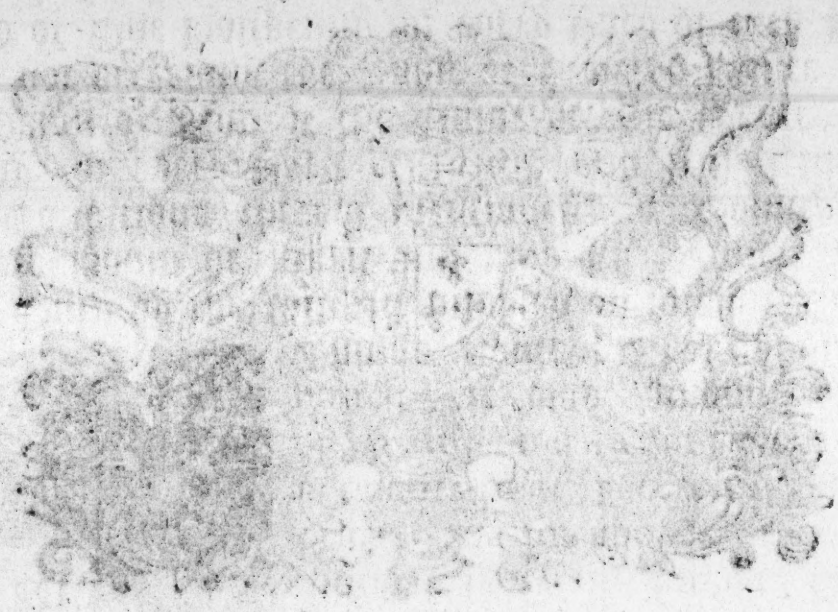
FINIS.

Anno Regni
GEORGII II.
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



KECIS

GEORGII III

Anno vicesimo sexto

Georgii II. Regis.

An Act for encouraging and improving the Manufactory of Linen in the Highlands of *Scotland*.

WHEREAS by an Act made in the Fifteenth and Sixteenth Years of the Reign of His present Majesty, intituled, An Act for granting to His Majesty an additional Duty on foreign Cambricks; and for allowing thereout a Bounty upon a certain Species of *British* and *Irish* Linens exported; it was, amongst other Things, enacted, That out of the additional Duty by the said Act imposed on foreign Cambricks, there should be given and paid in Manner, and upon the Conditions therein mentioned, a Bounty of One Penny for every Yard of British and Irish Linens made of Hemp or Flax of the Value of Six Pence per Yard, and not exceeding the Value of Twelve Pence per Yard; and of One Halfpenny for every Yard of such British and Irish Linens under the Value of Six Pence per Yard, which from and after the Twenty fifth Day of March, One thousand seven hundred and forty three, and within the Term of Seven Years, to commence from the said Twenty fifth Day of March, or at any Time thereafter,

Recital of Clauses in the Acts of 15 & 16 *Geo.* II.

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after, before the End of the then next Session of Parliament, should be exported out of Great Britain to Africa, America, or Portugal, or which should be exported to Spain, from and after the Time that it should be lawful to export such Linen to that Kingdom: And whereas by an
18 *Geo.* II. Act made in the Eighteenth Year of the Reign of His present Majesty, intituled, An Act for effectually preventing the Exportation of foreign Linens, under the Denomination of *British* or *Irish* Linens, the Payment of the said Bounty is subject to certain Regulations in the said
18 *Geo.* II. Act expressed: And whereas by another Act made in the Eighteenth Year of the Reign of His present Majesty, intituled, An Act for allowing certain additional Bounties on the Exportation of *British* and *Irish* Linens, additional Bounties were granted thereon, and the Payment thereof, and of the former Bounties, was made subject to certain other Regulations in the said Act expressed: And
20 *Geo.* II. whereas by an Act made in the Twentieth Year of the Reign of His present Majesty, intituled, An Act for granting to His Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year One thousand seven hundred and forty seven; and also for enabling His Majesty to raise a further Sum of Money for the Uses and Purposes therein mentioned; and for the further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum of Money for defraying the Charge of the Allowances to several Officers and Gentlemen of the Two Troops of Horse Guards, and Three Regiments of Horse lately reduced, for the Year One thousand seven hundred and forty seven; and for continuing the Bounties on the Exportation of *British* and *Irish* coarse Linens; it was, amongst other Things, enacted, That the Bounties on the Exportation of British and Irish coarse Linens should continue to be paid under the Regulations of the Acts of the Fifteenth, Sixteenth, and Eighteenth Years of His Majesty's Reign; and that the same should be paid out of such Part of the Old Subsidy as is applicable to the Payment of Incidents: And
22 *Geo.* II. whereas by an Act made in the Twenty second Year of the Reign of His present Majesty, intituled, An Act for granting to His Majesty the Sum of One Million out of the Sinking Fund, for the Service of the Year One thousand seven hundred and forty nine; and for enabling His Majesty to raise a further Sum of One Million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament; and for applying a certain Sum for defraying certain Charges and Allowances to the Officers and private Gentlemen

tlemen of the reduced Troops of Horse Guards; and for continuing the Bounties on the Exportation of *British* and *Irish* Linens; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Receipts, Annuity Orders, or other Orders, lost, burnt, or otherwise destroyed; it was, amongst other Things, enacted, That the Bounties on the Exportation of British and Irish coarse Linens should continue to be paid in like Manner, and under the like Regulations, as directed by the Acts of the Fifteenth and Sixteenth and of the Eighteenth Years of his Majesty's Reign, from and after the Twenty fifth Day of March, One thousand seven hundred and fifty, for and during the further Term of Three Years, and from thence to the End of the then next Session of Parliament; and that the same should be paid out of such Part of the Old Subsidy as is applicable to the Payment of Incidents: And whereas the Manufacture of coarse Linens hath been increased and improved in Great Britain and Ireland, and it may reasonably be presumed that the Manufacture of such Linens may be carried on in Places where the same hath been established, and elsewhere, without the further Continuance of any such Bounty on the Exportation thereof: And whereas under the Directions of the Commissioners and Trustees for improving Fisheries and Manufactures in Scotland, some Progress hath been made in the Manufactures of Linens in the Highlands of Scotland; for the better civilizing and improving whereof, several Provisions have been made in this present Parliament manifestly conducive to the Publick Tranquility and Welfare: And whereas the Encouragement of the Manufacture of coarse Linens in those Parts of the said Highlands, wherein the Manufacture of Linens hath either not been already established, or hath not already been advanced to any considerable Degree of Perfection, will be a further Means of improving and civilizing the said Highlands; and the Success of any Provision for that Purpose, will tend to the general Good of the whole United Kingdom, and also of Ireland; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the Term for which the Bounties on the Exportation of British and Irish coarse Linens by the said herein before-recited Acts are granted, continued, and made payable, the Sum of Three thousand Pounds be paid yearly and every Year for the Space of Nine Years, to the Cashier of the said Commissioners and Trustees for improving

After the Expiration of the Term, for which Bounties on the Exportation of *British* and *Irish* coarse Linens are granted, the annual Sum of 3000 *l.* to be paid for Nine Years, out of the Duties in *Scotland*, for encouraging, &c. the Manufactures of Linens in the *Highlands*.

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improving Fisheries and Manufactures in Scotland, to be charged and chargeable upon, and payable out of any the Customs, Duties, Excises, or other Revenues in Scotland, introduced by virtue of the Treaty of Union, or to which the Subjects of Scotland are or shall be liable; and to be applied by the said Commissioners and Trustees for encouraging and improving the Manufacture of Linens in the Highlands of Scotland only; and only in those Parts thereof, wherein the Manufacture of Linens hath either not been already introduced, or if the same hath been introduced, have not yet arrived to any considerable Degree of Perfection.

To what particular Uses the said Sum is to be applied.

Provided always, That no Part of the said annual Sum of Three thousand Pounds shall be applied by the said Commissioners and Trustees, for any other Use or Purpose whatsoever, than for instructing and exciting the Inhabitants of that Part of Scotland, to raise, prepare, and spin, Flax and Hemp to be used in the Manufacture of coarse Linen, and to weave Yarn there spun into such Linen; and for providing the said Inhabitants with fit Materials and Utensils for those Purposes, and for distributing Rewards and Prizes to the Growers, Preparers, and Spinners of such Flax and Hemp, and to the Weavers and other Manufacturers of such Linen, in respect to the Quantity or Excellence of the Flax or Hemp so raised and prepared, and of the Yarn so spun, wove, or otherwise manufactured; and for such other like Uses, as by the said Commissioners and Trustees shall be thought proper for promoting the true Intent of this Act.

No Part thereof to be applied in encouraging the Manufacture of Sail Cloth.

Provided also, That no Part of the said annual Sum of Three thousand Pounds shall be applied by the said Commissioners and Trustees for encouraging or improving within the Limits of the said Highlands, the Manufacture of Sail Cloth, or of any such Linens as under the Denomination of Sail Cloth are or may be intitled by Law to any Bounty on the Exportation thereof.

How the said Sum is to be issued.

And be it enacted by the Authority aforesaid, That the said annual Sum of Three thousand Pounds shall be paid for the Purposes of this Act, at such Times, and by such Warrants and Orders, and in such Manner, as the annual Sum of Two thousand Pounds, and the Surplusage of the Duty on Malt made in Scotland, are by an Act made in the Thirteenth Year of the Reign of His late Majesty King George the First, (intituled, An Act for encouraging and promoting Fisheries and other Manufactures and Improvements, in that Part of *Great Britain* called *Scotland*) or by Letters Patent under the

Act 13 *Geo.* I.

Great Seal, appointed by the Treaty of Union to be kept in Scotland, in Place of the Great Seal thereof, directed to be paid.

Commiſſioners yearly at *Chriſtmas* to make up the Accounts of the Monies received and iſſued, and to report their Proceedings.

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Truſtees ſhall yearly and every Year, at the Feaſt of the Nativity of our Lord Chriſt, make up a faithful and exact Account of the Monies received and iſſued by their Orders, together with a faithful and true Report of their Proceedings in the Execution of the Truſt hereby repoſed in them, and ſhall within the Space of Thirty Days lay the ſaid Account and Report before His Majeſty, His Heirs, or Succeſſors, and ſhall alſo within the like Space of Thirty Days lay true Copies of the ſaid Account and Report before the annual Committee of the Convention of the Royal Boroughs of Scotland, that they may peruſe and examine the ſame, and lay before His Majeſty, His Heirs, and Succeſſors, from time to time, ſuch Obſervations as they ſhall make thereon.

At *Chriſtmas*, 1753, the Commiſſioners to lay a Plan for the Application and Diſtribution of the ſaid Sum, before His Majeſty;

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners and Truſtees ſhall at the Feaſt of the Nativity of our Lord Chriſt, in the Year One thouſand ſeven hundred and fifty three, propoſe and lay before His Majeſty, His Heirs, and Succeſſors, a Plan or Method for the Application and Diſtribution of the ſaid Sum of Three thouſand Pounds hereby granted, according to the true Intent and Meaning of this Act; which Plan or Method, being approved, altered, or varied by His Majeſty, His Heirs, or Succeſſors, by Writing under his or their Sign Manual, ſhall be in Force and put into Execution, until the ſame ſhall be altered or varied in like Manner, and by like Authority.

and in any other Year they may lay any other Plan for the like Purpoſe.

Provided, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Truſtees, in any other Year, during the Continuance of this Act, at the ſaid Feaſt, to propoſe and lay before His Majeſty, His Heirs, and Succeſſors, any other Plan or Method for the like Purpoſe; which Plan or Method being in like Manner approved, altered, or varied by His Majeſty, His Heirs, or Succeſſors, ſhall be in Force and put into Execution, until the ſame ſhall be in like Manner altered or varied by like Authority.

FINIS.

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno Regni

GEORGII II.

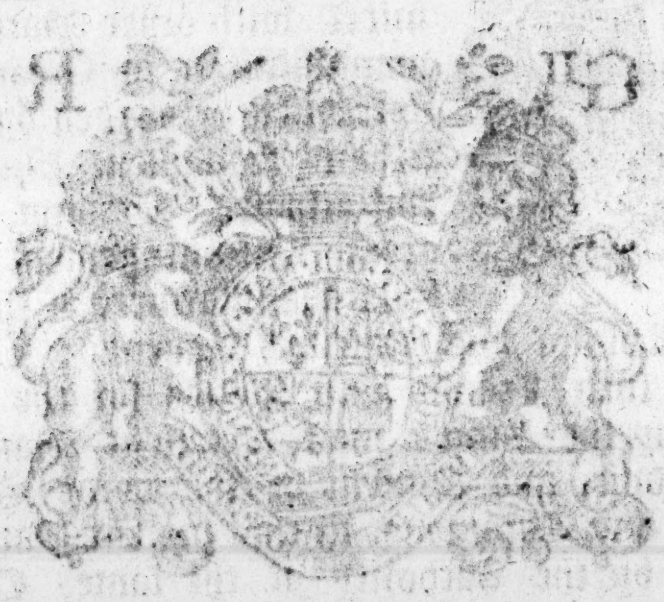
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO

At the Parliament begun and holden at Westminster, the Tenth Day of November, Anno Dom. 1752, in the Twenty fifth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the Eleventh Day of January, 1753, in the 26th Year of the Reign, and in the Session of this present Parliament.



Anno vicesimo sexto

Georgii II. Regis.

An Act for encouraging the Silk Manufactures of this Kingdom, and for securing the Duties payable upon the Importation of Velvets, Wrought Silks, and Silks mixed with other Materials, not manufactured in *Great Britain*.

WHereas the Payment of the Duties charged and made payable by divers Acts of Parliament, upon the Importation of Velvets, Wrought Silks, and Silks mixed with other Materials not manufactured in Great Britain, is frequently evaded by the subtil and fraudulent Practices of evil-disposed Persons, to the great Discouragement of the Silk Manufactures of this Kingdom, and the Loss of his Majesty's Revenue: Therefore for preventing such Frauds and Abuses for the future; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Velvets, Wrought Silks, and Silks mixed with any other Materials (such Velvets, Wrought Silks, and Silks mixed with any other Materials, not being manufactured in Great Britain, and such Wrought Silks or Silks mixed as aforesaid, not being prohibited to be worn therein) which shall be imported into this Kingdom, after the Preamble.

C

Velvets, WroughtSilks, and Silks mixed with other Materials of foreign Manufacture, imported after 29 *Sept.* 1753, to be sealed before Delivery from the Custom-house, at each End of the Piece.

Twenty ninth Day of September, One thousand seven hundred and fifty three, shall after the same have been entered at the Custom-house, and before they are discharged by the Officers, and delivered into the Custody of the Importer or his Agent, be marked or sealed at each End of every Piece, with such Mark or Seal, and by such Officer or Officers, as the respective Commissioners of the Customs in Great Britain shall direct and appoint for that Purpose.

Exporter of the said Goods to give Notice to the Officer of the Customs, when and where the same will be packed up for Exportation;

And be it further enacted by the Authority aforesaid, That from and after the said Twenty ninth Day of September, every Person intending to export any such Velvets, Wrought Silks, or Silks mixed with any other Materials, as herein before are mentioned and described, which shall have been imported into this Kingdom, after the said Twenty ninth Day of September, shall before such Goods are shipped in order to be exported, give Notice to the proper Officer or Officers to be appointed for that Purpose, by the respective Commissioners of the Customs in Great Britain, when and where he will pack up the said Goods in order to be exported, and the said Commissioners of the Customs are hereby impowered and required to cause such Officer or Officers, to take care that such Seals, Stamps, or Marks, be taken off from every Piece so intended to be exported, without Fee or Reward; and no Person shall be intitled to the Drawback allowed upon the Exportation of such Velvets, Wrought Silks, or Silks mixed as aforesaid, unless he shall have given such Notice as herein before is directed, and until such Seals, Stamps, or Marks shall be taken off by the proper Officer or Officers as aforesaid.

and the Seals are to be then taken off.

No Drawback to be allowed unless such Notice be given, and the Seals taken off.

Velvets, and WroughtSilks, &c. found without the Seals thereon, may be seized;

And be it further enacted by the Authority aforesaid, That from and after the Twenty ninth Day of September, One thousand seven hundred and fifty four, in case any Velvets, Wrought Silks, or Silks mixed with any other Materials (such Velvets, Wrought Silks, or Silks mixed with any other Materials, not being manufactured in Great Britain, and such Wrought Silk or Silks mixed as aforesaid, not being prohibited to be worn therein) shall be found in any Shop, Warehouse, or other Place whatsoever, upon Land within this Kingdom, not being marked or sealed as herein before directed, upon both Ends of every whole and entire Piece, or upon One End of every Remnant of such Velvet, Wrought Silk, or Silk mixed as aforesaid, the same shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs, and secured in some or One of His Majesty's Warehouses; and such Officer or Officers is and are hereby indemnified for so doing; and all such Velvets, Wrought

Silks, or Silks mixed as aforesaid, so seized and secured, shall after Condemnation thereof in due Course of Law, be publickly sold to the best Bidder, and One Moiety of the Produce arising by the Sale of such Velvets, Wrought Silks, or Silks mixed as aforesaid, shall be to the Use of His Majesty, His Heirs, and Successors, and the other Moiety to the Officer or Officers who shall seize and secure the same as aforesaid; and the Person in whose Custody or Possession the Goods so seized and secured shall be found, shall also for every such Offence, forfeit the Sum of Two hundred Pounds, to be recovered and divided in Manner herein after directed.

and after Condemnation, be sold to the best Bidder.
One Moiety of the Produce to go to the Crown, and the other to the Seizer;
and the Person in whose Custody the same shall be found, to forfeit 200 *l.*

And be it further enacted by the Authority aforesaid, That no Velvets, Wrought Silks, or Silks mixed with any other Materials as aforesaid, which after the Twenty ninth Day of September, One thousand seven hundred and fifty four, shall be seized and forfeited by virtue of this Act, or for any other Cause of Forfeiture, shall be consumed or used in this Kingdom, but shall be exported again, and not sold otherwise than on Condition to be exported, and shall not be delivered out of the Warehouse wherein the same shall have been secured, until sufficient Security be given, that the same and every Part thereof shall be exported, and not landed again in any Part of Great Britain.

The Goods so seized and forfeited, not to be used in this Kingdom, but exported;
and Security to be given for that Purpose.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time forge or counterfeit any Stamp, Mark, or Seal, to resemble any Stamp, Mark, or Seal, which shall be provided or used in pursuance of this Act, or shall forge or counterfeit the Impression of any such Stamp, Mark, or Seal, upon any Goods required by this Act to be stamped, marked, or sealed, or shall sell, or expose to Sale, any of the said Goods with a counterfeit Stamp, Mark, or Seal thereon, knowing the same to be counterfeited; all and every such Offender and Offenders, their Aiders, Abettors, and Assistants, shall, for each and every such Offence, forfeit the Sum of Five hundred Pounds, and shall also be adjudged to stand on the Pillory in some publick Place for the Space of Two Hours.

Persons counterfeiting the Seals,
or selling any of the Goods with a counterfeit Seal thereon,
to forfeit 500 *l.* and to be pilloried.

And be it further enacted by the Authority aforesaid, That all pecuniary Penalties and Forfeitures by this Act imposed, shall and may be sued for and recovered in any of his Majesty's Courts of Record at Westminster, or in the Court of Exchequer at Edinburgh respectively, by Action, Bill, Plaint, or Information, in the Name of his Majesty's Attorney General, or in the Name of his Majesty's Advocate in Scotland, or in the Name or Names of some Officer or Officers of the Customs; and

Pecuniary Penalties how to be recovered.

c

One Moiety of the Penalties to go to the Crown, the other to the Officer who shall prosecute.

that One Moiety of every such Penalty and Forfeiture shall be to His Majesty, His Heirs, and Successors, and the other Moiety thereof to the Officer or Officers of the Customs who shall inform and prosecute for the same.

Officer neglecting to prosecute for One Month, any other Person may sue and recover.

Provided always, and it is hereby further enacted, That if any Officer or Officers of the Customs shall neglect or refuse, for the Space of One Month, to prosecute to Effect any Person or Persons for any pecuniary Penalty or Forfeiture by this Act inflicted upon Offenders against the same, that then it shall be lawful for any Person or Persons whomsoever to sue for, prosecute, and recover the respective pecuniary Penalties and Forfeitures by this Act inflicted, in like Manner as is herein before directed with regard to the Officers of the Customs; and One Moiety of the said respective Forfeitures, when recovered, shall, in such Case, go and be applied to the Use of His Majesty, His Heirs, and Successors, and the other Moiety to the Person or Persons who shall sue or prosecute for the same respectively.

One Moiety to go to the Crown; and the other to the Prosecutor.

A *Capias* to issue upon filing an Action, or Information, for any Pecuniary Penalty;

And be it further enacted by the Authority aforesaid, That upon every Action, Bill, Plaint, or Information, entered and filed as aforesaid, for any pecuniary Penalty imposed by this Act, a Capias in the First Process shall and may issue, specifying the Sum of the Penalty sued for; and the Defendant or Defendants shall be obliged to give sufficient Bail or Security by natural-born Subjects, Persons naturalized or Denizens, to the Person or Persons to whom such Capias shall be directed, to appear in the Court out of which such Capias shall issue, at the Day of the Return of such Writ, to answer such Suit or Prosecution; and shall likewise, at the Time of such Appearance, give sufficient Bail or Security, by such Persons as aforesaid, in the said Court, to answer and pay all the Forfeitures and Penalties incurred for such Offence or Offences, in case he, she, or they shall be convicted thereof, or to yield his, her, or their Body or Bodies to Prison.

Defendant to give Bail thereto;

and for Payment of the Forfeiture if convicted;

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance, and by Authority of this Act: And if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be Nonsuited, or discontinue his Action, after the Defendant or

General Issue.

Defendants

Defendants ſhall have appeared; or if Judgement ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law. Treble Coſts.

And be it further enacted by the Authority aforeſaid, That if any Velvets, Wrought Silks, or Silks mixed as aforeſaid, ſhall be ſeized by virtue and in purſuance of this Act, and any Doubt or Queſtion ſhall ariſe, where the ſaid Velvets, Wrought Silks, or Silks mixed as aforeſaid, were manufactured, the Proof ſhall lie upon the Owner or Claimer thereof, and not upon the Proſecutor; any Law, Uſage, or Cuſtom to the contrary notwithſtanding. Proof where the Goods were manufactured, to lie on the Claimer.

FINIS.

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

GII R

LONDON.

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

GEORGE II.

AUTHORITY.

Anno vicesimo sexto

Georgii II. Regis.

An Act for the Purchase of the *Museum*, or Collection of Sir *Hans Sloane*, and of the *Harleian* Collection of Manuscripts; and for providing One General Repository for the better Reception and more convenient Use of the said Collections; and of the *Cottonian Library*, and of the Additions thereto.

WHEREAS Sir Hans Sloane of Chelsea in the County of Middlesex Baronet, having, through the Course of many Years, with great Labour and Expence gathered together whatever could be procured either in our own or foreign Countries, that was rare and curious, did, by a Codicil bearing Date the Twentieth Day of July, in the Year of our Lord One thousand seven hundred and forty nine, and annexed to his last Will and Testament, after having expressed

Preamble, reciting the Codicil to the Will of Sir *Hans Sloane*;

pressed his Will and Desire that his Collection, in all its Branches, might be, if it were possible, kept and preserved together Whole and Intire, in his Manor House in the Parish of Chelsea, give, devise, and bequeath, to certain Trustees therein named, all that his Collection or Museum, at, in, or about his said Manor House, consisting of all his Library of Books, Drawings, Manuscripts, Prints, Medals, and Coins, ancient and modern Antiquities, Seals, Cameas, and Intaglios, Precious Stones, Agates, Jaspers, Vessels of Agate and Jasper, Chrystals, Mathematical Instruments, Drawings, and Pictures, and all other Things in the said Collection or Museum, more particularly described and numbered, with short Histories or Accounts of them, with proper References in certain Catalogues by him made, containing Thirty eight Volumes in Folio, and Eight Volumes in Quarto, (except such Pictures as are not marked with the Word Collection) to have and to hold to them and their Successors and Assigns for ever, for such Purposes, and with such Powers, and under such Restrictions, as in the said Codicil are expressed, willing and desiring thereby, that the said Trustees, or any Seven or more of them, should make their humble Application to his Majesty, or to Parliament, at the next Session after his Decease, as should be thought most proper, in order to pay the full and clear Sum of Twenty thousand Pounds, of lawful Money of Great Britain, unto his Executors, or the Survivors of them, within Twelve Months after his Decease, in Consideration of the said Collection or Museum; and also to obtain such sufficient and effectual Powers and Authorities for vesting in the said Trustees, all and every Part of his said Collection or Museum before-mentioned, in all its Branches; and also his said Capital Manor House, with such Gardens and Out-houses as should thereunto belong and be used by him, at the Time of his Decease, and also the Water of or belonging to his Manor of Chelsea coming from Kensington; and also obtain a sufficient Fund or Provision for maintaining and taking Care of his said Collection and Premisses, and for repairing and supporting his said Manor House, Water-work and Premisses; but in case Payment of the said Sum of Twenty thousand Pounds, should not be had and obtained, and made unto his Executors, or the Survivors of them, within Twelve Months next after his Decease, and no such Act of Parliament should be obtained, for settling, preserving, establishing, maintaining, and continuing, his said Collection and

Premiſſes, in ſuch Manner as in his ſaid Codicil is expreſſed, then and not otherwiſe, his Will was and he did in ſuch Caſe thereby direct, That his ſaid Executors, or the Survivors of them, ſhould, for the like Sum of Twenty thouſand Pounds, ſell and diſpoſe of all and every Part of the ſaid Collection and Muſeum, as before deſcribed, together with the Catalogues thereto belonging, for the Uſe of the ſeveral foreign Academies therein deſcribed, and in the Manner therein mentioned; and that in caſe the ſaid Offer ſhould not be accepted by either of the ſaid foreign Academies, his Executors, or the Survivors of them, ſhould be at Liberty with all convenient Speed to ſell and diſpoſe of all and every Part of his ſaid Muſeum or Collection, in the moſt ſpeedy and advantageous Manner; and that the Monies ariſing by ſuch Sale or Diſpoſition ſhould be conſidered as Part of his Perſonal Eſtate; and further his Will was, and he did thereby direct, That in caſe his ſaid Collection ſhould be ſold or diſpoſed of to either of the ſaid foreign Academies, or in caſe of their Refuſal, or Non-acceptance by his Executors, or the Survivors of them, that then his ſaid Manor Houſe and Garden, with the Appurtenances and the Water, ſhould go and belong to ſuch Perſon or Perſons, and in ſuch Manner, as he had given and deviſed the reſt of his Manors, Lands, and Tenements at Chelſea, or elſewhere, as by the ſaid Codicil, Relation being thereunto had, may more fully and at large appear: And whereas the ſaid Sir Hans Sloane having, by ſeveral other Codicils of a ſubſequent Date, annexed to his ſaid Will, added to the Number of the ſaid Truſtees, did, on or about the Eleventh Day of January, One thouſand ſeven hundred and fifty three, depart this Life: And whereas the ſaid Truſtees, or Seven or more of them, have, purſuant to the Will and Intention of the ſaid Sir Hans Sloane, in this Seſſion of Parliament, being the next Seſſion after his Deceaſe, made their Application for Payment of the ſaid Sum of Twenty thouſand Pounds, in Conſideration of the ſaid Collection or Muſeum: And whereas the ſaid Truſtees at a General Meeting aſſembled, have conſented to the Removal of the ſaid Muſeum or Collection from the Manor Houſe at Chelſea, to any proper Place within the Cities of London or Weſtminſter, or the Suburbs thereof, if ſuch Removal ſhall be judged moſt advantageous to the Publick, ſo as the ſaid Collection be preſerved intire without the leaſt Diminution or Separation, and be kept for the Uſe and Benefit of the Publick, with free Acceſs

to view and peruse the same, at all stated and convenient Seasons, agreeable to the Will and Intentions of the Testator, and under such Restrictions as the Parliament shall think fit: And whereas the said Museum or Collection of Sir Hans Sloane is of much greater intrinsick Value than the Sum of Twenty thousand Pounds: And whereas all Arts and Sciences have a Connection with each other, and Discoveries in Natural Philosophy, and other Branches of speculative Knowledge, for the Advancement and Improvement whereof the said Museum or Collection was intended, do and may, in many Instances, give Help and Success to the most useful Experiments and Inventions; Therefore to the end that the said Museum or Collection may be preserved and maintained, not only for the Inspection and Entertainment of the Learned and the Curious, but for the General Use and Benefit of the Publick; May it please Your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of all or any of the Monies to be raised by virtue of this Act, the full and clear Sum of Twenty thousand Pounds of lawful Money of Great Britain, shall be paid in manner herein after-mentioned to the Executors of Sir Hans Sloane, or the Survivors or Survivor of them, in full Satisfaction for the said Museum or Collection herein before described, and for the Use of the said Manor House and Garden, with their Appurtenances, and of the said Water, until a more convenient Repository, more durable and more safe from Fire, and nearer to the chief Places of publick Resort, shall be provided for the Reception of the said Museum or Collection, in manner herein after-mentioned.

The Sum of 20,000 *l.* to be paid to the Executors of Sir *Hans Sloane*, in full Satisfaction for his *Museum*, &c.

Recital of Clauses in the Act of 11 & 12 *Will.* III. concerning the *Cottonian Library*;

And whereas by an Act made in the Twelfth and Thirteenth Years of the Reign of King William the Third, intituled, An Act for the better settling and preserving the Library kept in the House at *Westminster*, called *Cotton House*, in the Name and Family of the *Cottons*, for the Benefit of the Publick, reciting, That Sir Robert Cotton, late of Connington in the County of Huntingdon, Baronet, did, at his own great Charge, and by the Assistance of the most learned Antiquaries of his Time, collect and purchase the most useful Manuscripes, written Books, Papers, Parchments, Records, and other Memorials, in most Languages, of great Use and Service

for

for the Knowledge and Preſervation of our Conſtitution both in Church and State; and further reciting, That the ſaid Library had been preſerved with the utmoſt Care by Sir Thomas Cotton, Son of the ſaid Sir Robert, and by Sir John Cotton then living, Grandſon of the ſaid Sir Robert; and had been very much augmented by them, and lodged in a very proper Place in the ſaid Sir John's ancient Manſion Houſe at Weſtminſter, for publick Uſe and Advantage; it was enacted, That the ſaid Manſion Houſe, with the Garden, and all other Appurtenances, and alſo the ſaid Library, ſhould be veſted in Truſtees in the ſaid Act named, and their Succeſſors, for ever, for the Purpoſes therein mentioned; and as for and concerning the ſaid Library, and the Room wherein the ſame was or ſhould be contained, together with a convenient Paſſage for reſorting thereunto, upon this Truſt and Confidence, that the ſaid Truſtees and their Succeſſors ſhould, from time to time, and at all Times thereafter, as Occaſion ſhould require, inſpect, conſult, and take Care of the ſaid Library, and other Particulars above mentioned, and alſo make and appoint ſuch Orders and Rules as they ſhould think proper, for the reading and uſing the ſame, and for their better Preſervation, and to the Intent and Purpoſe that the ſaid Truſtees, or the major Part of them, ſhould nominate and appoint a good and ſufficient Perſon, well read in Antiquities and Records, to have the immediate Care and Cuſtody of the ſaid Library: And whereas by an Act made in the Fifth Year of the Reign of Queen Anne, intituled, An Act for the better ſecuring Her Majeſty's Purchaſe of *Cotton Houſe* in *Weſtminſter*; reciting the ſaid former Act made in the Twelfth and Thirteenth Year of the Reign of King William the Third; and alſo reciting, that ſince the making of the ſaid Act very little had been done in purſuance thereof, to make the ſaid Library uſeful to the Publick, except what had been then lately done at Her Majeſty's Charge, and that there was no Way or Paſſage to it ſet out, as the ſaid Act did direct, nor could there be any Way or Paſſage to the ſame, but through the beſt Rooms of the Houſe, which would render the Houſe wholly uſeleſs to the Family; ſo that the Library could not be reſorted unto, nor had any Orders or Rules been appointed for reading or uſing the ſame, and thereby the Publick was wholly deprived of the Benefit deſigned by the ſaid Act; and that the Place wherein the ſaid Library was then contained, was a narrow little Room, damp and improper for preſerving the Books and Papers;

and in the Act of 5 *Annæ*.

pers; and that Her Majesty, to the Intent so great a Treasure of Books and Manuscripts, so generously given for the publick Service, might not remain any longer useless, and in Danger of perishing for want of due Care, and that it might be in Her Majesty's Power to make that most valuable Collection useful to Her own Subjects, and all learned Foreigners, had given Directions for treating with the said Sir John Cotton for the Purchase of the said Cotton House and Garden; and that an Agreement had been made for the Purchasing the Inheritance thereof for the Sum of Four thousand and five hundred Pounds, which Her Majesty had directed to be paid on the investing the Inheritance of the Premisses in Her Majesty, Her Heirs, and Successors, which could not be done but by Act of Parliament, the said recited Act having directed it might not be sold or aliened; it was therefore enacted, That the said Capital Messuage called Cotton House, and the Garden and Buildings used and enjoyed with the same, with the Appurtenances, should be vested in Her Majesty, Her Heirs and Successors: And it was thereby further enacted and declared, That a convenient Room should be built in or near Part of the said Ground thereby intended to be vested in Her Majesty, as Her Majesty, Her Heirs, and Successors should, by Writing under the Sign Manual, appoint; in which Room, when built, all the said Manuscripts, Written Books, Papers, Parchments, Records, and other Memorials, as also all Coins, Medals, and other Rarities and Curiosities in the said Library contained, should be lodged and there remain to all Posterity; and that the said Room, when built, should for ever be called and known by the Name of the Cottonian Library; and that from the Building thereof, the said Library should be managed and directed by the Trustees therein named, as Trustees to and for the Use of the Publick for ever: And whereas although the publick Faith hath been thus engaged to provide for the better Reception and more convenient Use of the Cottonian Library, a proper Repository for that Purpose hath not yet been prepared; for the want of which, the said Library did, in the Year of our Lord One thousand seven hundred and thirty one, suffer by a Fire, which consumed the House wherein the same was then placed, and what remains of the said Library still continues in the Room, to which upon the Occasion of the said Fire it was removed; and Persons desirous to view and consult the Treasure of Books and Manuscripts

therein contained, cannot conveniently resort thereunto: And whereas Arthur Edwards, late of Saint George Hanover Square, in the County of Middlesex, Esquire, being desirous to preserve for the publick Use the said Library, and to prevent the like Accident for the future, did by his Last Will and Testament, bearing Date the Eleventh Day of June, in the Year of our Lord One thousand seven hundred and thirty eight, and duly proved in the Prerogative Court of Canterbury, give, devise, and bequeath, unto the Trustees of the said Library, the Sum of Seven thousand Pounds (if his Effects real and personal, not before disposed of by that his Will and Testament, should, after the Decease of Mistress Elizabeth Milles, amount to so much) to erect in a proper Situation such a House as might be most likely to preserve that Library, as much as can be from all Accidents; but if it should so happen, that before this Part of his Will could take place, there should be erected such a proper Building for this Use, then he did give, devise, and bequeath the aforesaid Sum of Seven thousand Pounds, to the said Trustees, to be employed in purchasing such Manuscripts, Books of Antiquities, ancient Coins, Medals, and other Curiosities, as might be worthy to increase and enlarge the said Library; and did also thereby give to the said Trustees of the said Library, to be placed in some Proper room or Corner thereof, all his Books, and the Cases in which they were then placed, and also his Pictures in his said Last Will and Testament described; which Books, Book Cases, and Pictures, he did desire and require might be delivered and given, as soon after his Decease as might be, to be placed in the said Library; and which, with the Approbation of the said Trustees, have been placed according to such Desire in the said Library; be it enacted by the Authority aforesaid, That when and as soon as the said Legacy of Seven thousand Pounds shall on the Decease of the said Elizabeth Milles become payable to the Trustees of the Cottonian Library, the same shall be paid to the Trustees by this Act appointed, for the Purposes herein after mentioned, or to such Person or Persons as by the said Trustees, or the major Part of them, in any General Meeting assembled, shall be authorized to receive the same; to be applied by the said Trustees hereby appointed, either towards erecting or providing a proper Repository for the Cottonian Library; or if such Repository shall be erected or provided before the said Legacy shall become payable as aforesaid, towards purchasing such Manuscripts, Books of Antiquities, ancient Coins, Medals,

Recital of Part of the Will of *Arthur Edwards*, Esq;

The said Legacy of 7000 *l.* on the Decease of *Elizabeth Milles*, to be paid to and applied by the Trustees appointed by this Act.

dals, and other Curiosities, as may be worthy to increase and enlarge the said Library; and that the Acquittance of any Person or Persons authorized by the said Trustees, or the major Part of them, in a General Meeting assembled to receive the said Legacy of Seven thousand Pounds, shall be, and be accepted as a sufficient Discharge to the Executors and Representatives of the said Testator, for the Payment of the said Legacy.

And whereas the Right Honourable Henrietta Cavendish Holles, Countess of Oxford and Countess Mortimer, Relict of Edward Earl of Oxford and Earl Mortimer, and the Most Noble Margaret Cavendish Dutchess of Portland their only Daughter, have expressed their Approbation of a Proposal for the Purchase of the valuable Collection of Manuscripts, collected by the said Earl, and by Robert Earl of Oxford and Earl Mortimer his Father, in Consideration of the Sum of Ten thousand Pounds, upon Condition that the same shall be kept together in a proper Repository, as an Addition to the Cottonian Library, and be called by the Name of the Harleian Collection of Manuscripts; be it further enacted by the Authority aforesaid, That out of the Monies to be raised by virtue of this Act, the full and clear Sum of Ten thousand Pounds shall be paid by Order of the said Trustees hereby appointed for the Purposes herein after mentioned, to the Trustees for the said Earl and Countess, to whom by an Indenture quadrupartite made, the Second Day of August, in the Eleventh Year of the Reign of his present Majesty, and in the Year of our Lord One thousand seven hundred and thirty seven, the said Collection of Manuscripts among other Things was assigned for the Purposes in the said Indenture mentioned; the said Collection of Manuscripts to be placed and continued in the same Repository in which the Cottonian Library, is herein after directed to be placed, and until the said Repository shall be erected or provided, in manner herein after mentioned; to be preserved in the Place where the same is now lodged, or in some other convenient Place to be approved by the said Trustees by this Act appointed, or the major Part of them, in a General Meeting assembled, at the Costs and Charges of the said Trustees for the said Earl and Countess, and of the Survivors and Survivor of them, and the Executors, Administrators, and Assigns of such Survivor, and of the Person or Persons to whose Use the said Sum of Ten thousand Pounds shall be payable for the said Collection.

The Sum of 10,000 *l.* to be paid to the Trustees of the Earl and Countess of *Oxford* and *Mortimer*, for the *Harleian* Collection of Manuscripts, which are to be placed in the same Repository with the *Cottonian Library*.

And be it further enacted by the Authority aforesaid, That the Archbishop of Canterbury for the time being, the Lord Chancellor or Lord Keeper of the Great Seal of Great Britain for the time being, the Lord Treasurer of Great Britain, or the First Commissioner of the Treasury for the time being, the Lord President of the Council for the time being, the Lord Privy Seal for the time being, the Lord High Admiral of Great Britain, or the First Commissioner of the Admiralty for the time being, the Lord Steward of his Majesty's Houshold for the time being, the Lord Chamberlain of his Majesty's Houshold for the time being, the Bishop of London for the time being, each of the Principal Secretaries of State for the time being, being a Peer or Lord of Parliament, the Speaker of the House of Commons for the time being, each of the Principal Secretaries of State for the time being, not being a Peer or Lord of Parliament, the Chancellor of the Exchequer for the time being, the Lord Chief Justice of the Court of King's Bench for the time being, the Master of the Rolls for the time being, the Chief Justice of his Majesty's Court of Common Pleas at Westminster for the time being, his Majesty's Attorney General for the time being, his Majesty's Solicitor General for the time being, the President of the Royal Society for the time being, the President of the College of Physicians for the time being, together with the Right Honourable Charles Lord Cadogan, and Hans Stanley Esquire, and together with Samuel Borroughs and Thomas Hart, Esquires, Two of the present Trustees of the Cottonian Library, (having been so appointed by the Heirs Male of the Body of the said Sir Robert Cotton, in pursuance of the said herein before-recited Acts made in the Twelfth and Thirteenth Years of the Reign of King William the Third, and in the Fifth Year of the Reign of Queen Anne) and together with the Most Noble William Duke of Portland, and the Right Honourable Edward Earl of Oxford and Earl Mortimer, shall be Trustees for putting this Act in Execution; and that they, or the major Part of them, in a General Meeting assembled, whereof the said Archbishop of Canterbury, the Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, shall be Three, shall, in such Manner as they shall think fit, elect and nominate Fifteen other Persons to be associated to them in the Execution of the Trusts hereby in them reposed; which Fifteen Persons so elected and nominated, shall be and continue for the Term of their natural Lives, Trustees for putting this Act in Execution, with

Trustees appointed for putting this Act in Execution;

who are to appoint Fifteen other Persons to be Associates to them,

who are to continue Trustees for Life.

with the like Power in all Respects, as hereby is given to the Trustees herein before first appointed; and when any of the said Trustees so elected and nominated shall die, the Trustees herein before first appointed, and their Successors, shall in like Manner elect and nominate a fit Person or Persons to supply the Place or Places of him or them so dying, and so toties quoties, any of the said Trustees so elected and nominated, or others so elected and nominated, to supply their Places, shall happen to die.

Election of new Trustees to be made in the Room of such as shall die.

Provided always, and be it enacted by the Authority aforesaid, That when either the said Charles Lord Cadogan, or Hans Stanley, shall die, it shall and may be lawful for the Survivor to nominate another fit Person to succeed the deceased in the Place of a Trustee so vacant; and after the Decease of both of them (the said Charles Lord Cadogan, and Hans Stanley) it shall and may be lawful for the Heirs Male of their Bodies, and upon Failure of the Heirs Male of the Body of either of them, to and for the Heirs Male of the Body of the other of them, being of full Age, or their respective Guardian or Guardians during their Minority, to nominate a Trustee for the Purposes of this Act, in the Room of the Person last nominated by the Survivor of them; and so as often as any Person supplying the Place of the said Charles Lord Cadogan, or Hans Stanley, shall happen to die.

Nomination of a Trustee vacant by the Death of Lord *Cadogan* or *Hans Stanley*.

Provided also, and be it enacted by the Authority aforesaid, That when either the said Samuel Burroughs or Thomas Hart shall die, it shall and may be lawful to and for Frances Hanbury Widow, and Relict of Francis Hanbury Esquire, (which Frances Hanbury is the Heir-general of the said Sir Robert Cotton) and after her Decease to and for the Heirs Male of her Body, being of full Age, and in Default of such Issue, to and for her First, Second, Third, Fourth, and every other Daughter, severally, successively, and in Remainder one after another, in Order and Course, as they respectively shall be in priority of Birth; and the several and respective Heirs Male of the Bodies of such Daughters, being of full Age, or the respective Guardians of the Heirs Male of the said Frances and of her said Daughters, during their Minority, to nominate another fit Person to supply the Place of the deceased Trustee, and so as often as any Person supplying the Place of either of said Trustees shall happen to die.

Nomination of a Trustee vacant by the Death of *Samuel Burroughs*, or *Thomas Hart*.

Provided also, and be it further enacted by the Authority aforesaid, That when either the said William Duke of Portland, or the said Edward Earl of Oxford and Earl Mortimer,

Mortimer, herein before appointed Truſtees for the Purpoſes of this Act ſhall die, it ſhall and may be lawful to and for the ſaid Counteſs of Oxford and Counteſs Mortimer, and the ſaid Dutcheſs of Portland, or the Survivor of them, and after the Deceaſe of the ſaid Counteſs and Dutcheſs, to and for the Heirs Male of the Body of the ſaid Dutcheſs, being of full Age, or their Guardian or Guardians, during their Minority; and upon Failure of ſuch Heirs Male, to and for the Heirs Male of the Body of Edward now Earl of Oxford and Earl Mortimer, being of full Age, or their Guardian or Guardians, during their Minority, to nominate another fit Perſon to ſupply the Place of the ſaid Duke or the ſaid Earl; and upon the Death of any Perſon ſo ſupplying the Place of either of them, to nominate another fit Perſon in his ſtead, and ſo as often as any Perſon ſo ſupplying the Place of either of them ſhall happen to die.

Nomination of a Truſtee vacant by the Death of *William* Duke of *Portland*, or *Edward* Earl of *Oxford* and Earl *Mortimer*.

And be it declared and enacted by the Authority aforeſaid, That the Truſtees ſo to be nominated by the Survivor of the ſaid Charles Lord Cadogan and Hans Stanley, and by the Heirs Male of the Bodies of them, or either of them, or the reſpective Guardians of ſuch Heirs Male, in Manner aforeſaid, and by the ſaid Counteſs and Dutcheſs, or the Survivor of them, or by ſuch Heirs Male of the ſaid Dutcheſs, or of the ſaid now Earl of Oxford and Earl Mortimer, as aforeſaid, or by their Guardian or Guardians, in Manner aforeſaid, ſhall have the like Power in all Reſpects in the Execution of this Act, as is hereby given to the Truſtees herein before firſt named and deſcribed.

Truſtees ſo nominated, inveſted with like Powers as thoſe nominated in the Act.

And be it enacted by the Authority aforeſaid, That within the Cities of London or Weſtminſter, or the Suburbs thereof, One General Repoſitory ſhall be erected or provided in ſuch convenient Place, and in ſuch Manner, as the Truſtees hereby appointed, or the major Part of them, at a General Meeting aſſembled ſhall direct, for the Reception not only of the ſaid Muſeum, or Collection of Sir Hans Sloane, but alſo of the Cottonian Library, and of the Additions which have been or ſhall be made thereunto, by virtue of the laſt Will and Teſtament of the ſaid Arthur Edwards, and likewiſe of the ſaid Harleian Collection of Manuſcripts, and of ſuch other Additions to the Cottonian Library, as with the Approbation of the Truſtees by this Act appointed, or the major Part of them, at a General Meeting aſſembled, ſhall be made thereunto, in manner herein after mentioned, and of ſuch other Collections and Libraries as with

A General Repoſitory to be provided for the Reception of *Sloane*'s *Muſeum*, the *Cottonian Library*, *Harleian* Manuſcripts, and *Edwards*'s Additions.

the like Approbation shall be admitted into the said General Repository; which several Collections, Additions, and Library, so received into the said General Repository, shall remain and be preserved therein for publick Use, to all Posterity.

The *Museum* to be kept intire.

Provided always, That the said Museum or Collection of Sir Hans Sloane in all its Branches, shall be kept and preserved together in the said General Repository whole and intire, and with proper Marks of Distinction.

The *Harleian* Collection to be an Addition to the *Cottonian Library*.

Provided also, That the said Harleian Collection of Manuscripts shall be kept together in the said General Repository, as an Addition to the Cottonian Library.

The *Museum* to remain in the Manor House, till a General Repository be provided, under the Care of a Person to be nominated for that Purpose, for the publick Use, &c.

Provided always, That until the said General Repository shall be erected or provided in manner before-mentioned, the said Collection or Museum of Sir Hans Sloane shall remain in his said Manor House for publick Use, under the Care of such Person or Persons as by the said Archbishop of Canterbury, Lord Chancellor, or Lord Keeper, and the Speaker of the House of Commons, or any Two of them, shall be nominated for that Purpose, with such Salary or Salaries, and Allowances for attending and preserving the same, as by all the Trustees by this Act appointed, or the major Part of them in a General Meeting assembled, shall be limited and directed; and the said Museum or Collection shall there be visited and seen by all Persons desirous to view the same, under such Rules as by the said Trustees, or the major Part of them, in like Manner assembled, shall be established; and that until the said Museum or Collection shall be removed to the said General Repository hereby intended to be erected or provided, the Expence of preserving the said Museum or Collection, and of repairing and supporting the said Manor House and Premisses, shall be defrayed by the said Trustees, out of such Monies as shall be payable to them for that Purpose by virtue of this Act.

When the *Museum* shall be removed, the Manor House, &c. to go with the other Lands devised by Sir *Hans Sloane*.

Provided also, and be it enacted by the Authority aforesaid, That when and as soon as the said Museum or Collection shall be removed into the said General Repository, then and from thenceforth the said Manor House and Garden, with their Appurtenances and Water, shall go and belong to such Person or Persons, and in such Manner, as the said Sir Hans Sloane hath given and devised the rest of his said Manors, Lands, and Tenements, at Chelsea, or elsewhere.

The Trustees incorporated by the Name of *The Trustees of the* British Museum, &c.

And be it further enacted by the Authority aforesaid, That for the better Execution of the Purposes of this Act, the said Trustees hereby appointed shall be a Body Politick

tick and Corporate, in Deed and Name, and have Succession for ever, by the Name of The Trustees of the *British Museum*; and by that Name shall sue and be sued, implead and be impleaded, in all Courts and Places within this Realm; and shall have Power to have and use a Common Seal to be appointed by themselves; and to make By-laws and Ordinances for the Purposes of this Act; and to assemble together, when, where, and as often, and upon such Notice, as to them shall seem meet, for the Execution of the Trust hereby in them reposed; and shall also have full Power, Capacity, and Ability, to purchase, take, hold, and enjoy, for the Purposes of this Act, as well Goods and Chattles, as Lands, Tenements, and Hereditaments, so as the yearly Value of such Lands shall not exceed Five hundred Pounds above all Charges and Reprizes; the Statute of Mortmain, or any other Statute and Law to the contrary thereof in any wise notwithstanding.

Trustees impowered to make Statutes for the Preservation, &c. of the said Collections,

And be it further enacted by the Authority aforesaid, That the Trustees so appointed and incorporated by this Act, or the major Part of them, at any General Meeting assembled, shall, from time to time, and as often as they shall think fit, make, constitute, and establish, such Statutes, Rules, and Ordinances for the Custody, Preservation, and Inspection, of every Part of the several Collections hereby intended to remain in the said General Repository, as to them shall seem meet; and shall and may in like Manner assign such Salaries and Allowances as they shall think fit, to the Officers and Servants, who in Manner herein after mentioned shall be appointed to attend and assist in the Care and Preservation of the several Collections contained in the said Genetal Repository; and shall and may at their Pleasure, in like Manner suspend or remove any such Officer or Servant, for Misbehaviour or Neglect of Duty.

and to appoint Salaries to their Officers.

Nomination of the Principal Librarian.

And be it enacted by the Authority aforesaid, That the Principal Librarian to whom the Care and Custody of the said General Repository shall be chiefly committed, shall, from time to time, be nominated and appointed in Manner following; that is to say, the said Archbishop of Canterbury, Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, or any Two of them, shall recommend to His Majesty, His Heirs and Successors, Two Persons, each of whom they shall judge fit to execute the said Office; and such of the said Two Persons so recommended, as His Majesty, His Heirs, and Successors, by Writing under his or their Sign Manual shall appoint, after he shall become bound to the

said

said Trustees by this Act appointed, for the due and faithful Discharge of his Office, in such penal Sum not being less than One thousand Pounds, as the said Trustees at any General Meeting assembled, or the major Part of them, shall think proper, shall have and hold the said Office, during such Time as he shall behave well therein.

Nomination of the rest of the Officers and Servants.

And be it further enacted by the Authority aforesaid, That the rest of the Officers and Servants whose Attendance and Assistance shall be necessary in the Care and Preservation of the said General Repository, shall, from time to time, be nominated and appointed by the said Archbishop of Canterbury, Lord Chancellor, or Lord Keeper, and the Speaker of the House of Commons, or any Two of them.

No Officer's Place to be supplied by a Deputy.

Provided always, That no such Person to whom the Care and Custody of the said General Repository shall be chiefly committed, nor any of the rest of the said Officers or Servants, unless in Cases of occasional Sickness, or other necessary Cause of Absence, to be approved by the said Archbishop of Canterbury, Lord Chancellor, or Lord Keeper, and the Speaker of the House of Commons, or any Two of them, shall be permitted to supply his Place by a Deputy.

Assistants and subordinate Officers allowed.

Provided nevertheless, That the Person to whom in Manner aforesaid the Care and Custody of the said General Repository shall be chiefly committed, shall and may be assisted by such subordinate Officers and Servants, as in Manner aforesaid shall be appointed, continually to assist him in the Execution of his Duty.

Sloane's Museum, *Cottonian Library*, and *Harleian* Collection, vested in the Trustees, in Trust for the publick Use.

And be it further enacted by the Authority aforesaid, That the said Museum or Collection of Sir Hans Sloane, from and after Payment of the said Sum of Twenty thousand Pounds, and the said Manor House and Garden, with the Appurtenances and Water, until the said Museum or Collection shall be removed to the said General Repository; and also the said Cottonian Library and Additions thereunto; and the said Harleian Collection of Manuscripts, from and after Payment of the said Sum of Ten thousand Pounds; and the said General Repository, when the same shall be erected or provided for the Use thereof, shall be vested in the said Trustees by this Act appointed, and their Successors, for ever; upon this Trust and Confidence nevertheless, That a free Access to the said General Repository, and to the Collections therein contained, shall be given to all studious and curious Persons, at such Times, and in such Manner,

ner, and under such Regulations for inspecting and consulting the said Collections, as by the said Trustees, or the major Part of them, in any General Meeting assembled, shall be limited for that Purpose.

His Majesty may grant to the Trustees any Messuage or Building, &c. in Perpetuity, for a General Repository.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for His Majesty, His Heirs and Successors, at any Time hereafter, by Letters Patent or Indenture, under the Great Seal of Great Britain, to give and grant unto the said Trustees and their Successors, in Perpetuity, for the Purposes of this Act, the Right or Use in or of any Room, Messuage, or Building, or Rooms, Messuages, or Buildings, with the Appurtenances, or any Ground or Site requisite for the Erection of the said General Repository, or for making any Addition thereto; any Restrictions, or Matter or Thing contained in an Act of Parliament made in the First Year of the Reign of Her late Majesty Queen Anne, intituled, An Act for the better Support of Her Majesty's Houshold, and of the Honour and Dignity of the Crown; or any other Law or Statute in any wise notwithstanding.

Act 1 *Annæ*.

Bodies Politick and Corporate, &c. impowered to dispose of Lands, &c. to the Trustees for such Repository.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick and Corporate, Trustees, Mortgagees, and Feoffees in Trust, Guardians and Committees for Infants, Lunaticks and Ideots, Executors and Administrators whatsoever, and to and for all Femes Covert, who are or shall be seised of any Lands, Tenements, or Hereditaments, in their own Right, and to and for all and every other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in, any Lands, Tenements, or Hereditaments, to sell and convey to the said Trustees and their Successors, or to such Person or Persons as they, or the major Part of them, at any General Meeting assembled, shall appoint, all such Lands, Tenements, Hereditaments, Estates, and Interests, or any Part thereof, as the said Trustees, or the major Part of them, shall purchase, for the Purpose of erecting or providing such General Repository as aforesaid; and all Contracts, Agreements, Sales, and Conveyances which shall be made by any such Bodies Politick or Corporate, or Collegiate, or other Persons aforesaid, shall be valid and effectual to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing, to the contrary notwithstanding: And that every such Sum of Money as shall be paid for the Purchase of any Lands, Tenements, or Hereditaments, to or for the Use

Money to be laid out to the same Uses as Lands, &c. purchased were settled to;

of any ſuch Body Politick or Corporate, or other Perſon as aforeſaid, ſhall be reſpectively laid out in the Purchaſe of Lands, Tenements, and Hereditaments, and ſettled to and upon, and ſubject to ſuch Titles, Uſes, Truſts, Limitations, Remainders, and Contingencies, as the ſaid Lands, Tenements, and Hereditaments, purchaſed by the ſaid Truſtees, were ſettled, limited, and aſſured, at the Time of ſuch Purchaſe, and ſhall be held and enjoyed accordingly; and that until ſuch Purchaſes ſhall be made, the Money ſhall be veſted in ſome of the publick Funds, or Government Securities, at Intereſt, which ſhall be paid to or for the Uſe of ſuch Perſon or Perſons as would have been intitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments.

and to be veſted in the publick Funds till Purchaſe be made.

Saving nevertheleſs to His Majeſty, His Heirs, and Succeſſors, and to all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors or Adminiſtrators, other than and except the Truſtees and Viſitors by the ſaid Sir Hans Sloane appointed by his Codicil herein before recited, and other than and except the Truſtees of the Cottonian Library, and the Truſtees for the ſaid Counteſs of Oxford and Counteſs Mortimer, all ſuch Right, Title, Eſtate, or Intereſt, in or to the Premiſes hereby veſted in the Truſtees by this Act appointed, and their Succeſſors, as they, or any of them, had or might enjoy if this Act had not been made; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Reſervation to all other Perſons intereſted, of their Rights to the Premiſſes, veſted in the Truſtees.

And for raiſing Money to ſatisfy and diſcharge the ſeveral Sums that will be neceſſary for the Purpoſes aforementioned; be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon, Native or Foreigner, or Body Politick or Corporate, to contribute or advance for or towards raiſing a Sum not exceeding Three hundred thouſand Pounds in the Whole, by paying at or before the reſpective Days or Times herein after appointed in that Behalf, unto ſuch Receivers as ſhall be in purſuance of this Act appointed for that Purpoſe, or One of them, the Sum of Three Pounds, or divers entire Sums of Three Pounds, ſo as no Perſon, or Body Politick or Corporate, ſhall be allowed to contribute more than Twenty ſuch entire Sums; for which Sum or Sums ſo advanced, every ſuch Contributor ſo advancing the ſame, ſhall be intitled to receive by virtue of this Act ſuch Sum or Sums of Money as is or are hereby directed or appointed; and every ſuch Sum of Three Pounds ſhall be

300,000 *l.* to be raiſed for the Purpoſes of this Act, and Natives or Foreigners may contribute thereto in the Proportions, and at the Times, herein limited.

be paid to ſuch Receivers, or One of them, at ſuch Office as ſhall be appointed by the ſaid Receivers for that Purpoſe (of which Appointment publick Notice ſhall be given in the London Gazette) in Manner following; that is to ſay, One Pound, Part of every ſuch Sum of Three Pounds, ſhall be paid on or before the Twenty fifth Day of July, One thouſand ſeven hundred and fifty three, and the remaining Two Pounds, on or before the Twenty ſixth Day of October following.

Managers of the Lottery.

And be it further enacted by the Authority aforeſaid, That ſuch of the Managers and Directors of the Lottery eſtabliſhed by an Act of Parliament paſſed in the Twenty fourth Year of the Reign of His preſent Majeſty, intituled, An Act for granting to His Majeſty the Sum of Two millions one hundred thouſand Pounds, to be raiſed by Annuities and a Lottery, and charged on the *Sinking Fund*, redeemable by Parliament) as are now living and ſhall duly qualify themſelves according to this Act in that Behalf, ſhall be Managers and Directors for preparing and delivering out Tickets, and to overſee the Drawing of Lots, and to order, do, and perform ſuch other Matters and Things, as are hereafter in and by this Act directed and appointed by ſuch Managers and Directors to be done and performed; and that ſuch Managers and Directors ſhall meet together, from time to time, at ſome publick Office or Place for the Execution of the Powers and Truſts in them repoſed by this Act; and that the ſaid Managers and Directors (or ſo many of them as ſhall be preſent at any ſuch Meeting) or the major Part of them then preſent, ſhall cauſe Books to be prepared, in which every Leaf ſhall be divided or diſtinguiſhed into Three Columns, and upon the innermoſt of the ſaid Three Columns, there ſhall be printed Fifty thouſand Tickets, Part of One hundred thouſand by this Act intended to be made forth, to be numbered One, Two, Three, and ſo onwards in an arithmetical Progreſſion, where the common Exceſs ſhall be one, until they riſe to the Number of Fifty thouſand; and upon the middle Column in the ſaid Books ſhall be printed Fifty thouſand Tickets of the ſame Breadth and Form, and numbered in like Manner; and in the extream Column of the ſaid Books, there ſhall be printed a Third Rank or Series of Tickets of the ſame Number with thoſe of the Two other Columns; which Tickets ſhall be ſeverally of an oblong Figure; and in the ſaid Books ſhall be joined with oblique Lines, Flouriſhes, or Devices, in ſuch Manner as the ſaid Managers and Directors, or the major Part of them, ſhall think

Books to be prepared by them with 3 Columns, and 50,000 printed Tickets.

Form, &c. of the Tickets.

think moſt ſafe and convenient: And that every Ticket in the Third or extream Column of the ſaid Books ſhall have written or printed thereupon (beſides the Number of ſuch Ticket, and the preſent Year of our Lord Chriſt) Words to this Effect:

THE Bearer of this Ticket, in caſe it be drawn a Prize, is intitled to the Prize ſo drawn, payable within Forty Days after the Drawing of the Lottery is ended.

Other Books to be prepared with 2 Columns, and the like Number of Tickets.

And be it further enacted by the Authority aforeſaid, That the ſaid Managers or Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them, ſhall cauſe other Books to be prepared, in which every Leaf ſhall be divided or diſtinguiſhed into Two Columns, and upon the innermoſt of the ſaid Two Columns there ſhall be printed Fifty thouſand Tickets, numbered One, Two, and Three, and ſo onwards in an arithmetical Progreſſion aſcending, where the Common Exceſs ſhall be One, until they riſe to the Number of Fifty thouſand; and upon the outermoſt Column of the ſaid Books there ſhall be printed another Rank or Series of Tickets of the ſame Number with thoſe in the ſaid innermoſt Columns; which Tickets ſhall ſeverally be of an oblong Figure, and in the ſaid Books ſhall be joined with oblique Lines, Flouriſhes, and other Devices, in ſuch manner as the ſaid Managers and Directors, or the major Part of them, ſhall think moſt ſafe and convenient; and that every Ticket in the outermoſt Columns of the ſaid Books ſhall have written or printed thereupon (beſides the Number of ſuch Ticket) the ſame Words as are before in this Act directed to be written or printed upon the other Fifty thouſand Tickets firſt herein mentioned and directed to be prepared.

And in regard the Tickets herein before directed to be prepared in the Books with Two Columns, are to conſiſt of the ſame Numbers, and are to be attended with the ſame Chances with thoſe appointed to be prepared in the Books with Three Columns, which are to be put into a Box, to be drawn in manner herein after mentioned; it is hereby further enacted by the Authority aforeſaid, That the Chance of every Ticket in the ſaid Books containing Two Columns, ſhall be determined by the Drawing of the Tickets in the other Books containing Three Columns, ſo that in every Caſe where any numbered Ticket in the ſaid Books containing Three Columns, ſhall upon the Drawing thereof, be intitled to a Prize in Principal Money,

Chance of the Tickets in the Books with 2 Columns, to be dete mined by the Drawing of the Tickets of the Books with 3 Columns.

the Ticket of the like Number in the Books containing Two Columns, ſhall be intitled to a Prize of like Value in Principal Money; and in every Caſe where any numbered Ticket in the Books containing Three Columns ſhall not be a Prize, the Ticket of the like Number in the Books containing Two Columns, ſhall likewiſe be deemed an unfortunate Ticket.

4 of the Managers to be appointed Receivers of the Contributions,

And be it further enacted by the Authority aforeſaid, That ſuch Four of the Perſons named in the Commiſſion for appointing the Managers and Directors of the Lottery, eſtabliſhed by the ſaid Act paſſed in the Twenty fourth Year of His Majeſty's Reign, as ſhall be appointed by the ſaid Archbiſhop of Canterbury, Lord Chancellor, or Lord Keeper, and the Speaker of the Houſe of Commons, or any Two of them, by Writing under their Hands and Seals, ſhall be Receivers; and each of them ſhall be a Receiver of the ſaid Sums to be advanced or contributed by virtue of this Act, upon their entering jointly or ſeverally into Bond or Bonds to the ſaid Truſtees by this Act appointed, and their Succeſſors, for the due anſwering and paying of the Monies which they ſhall ſo jointly or ſeverally receive, to the Governor and Company of the Bank of England, or their Caſhier or Caſhiers, for the ſeveral Purpoſes of this Act, within Three Days after ſuch Monies ſhall be received.

who are to give Bond to the Truſtees for the paying thereof into the Bank.

Managers to examine the Books with the Tickets,

And it is hereby enacted, That the ſaid Managers and Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them, ſhall examine all the ſaid Books with the Tickets therein, and take Care that the ſame be contrived, numbered, and made according to the true Intent and Meaning of this Act;

and deliver them to the Receivers, taking a Receipt for the ſame.

and ſhall deliver, or cauſe to be delivered, the ſame Books, and every or any of them, as they ſhall be examined, to the ſaid Receivers, or ſome or One of them, taking from ſuch Receiver or Receivers an Acknowledgement in Writing under his or their Hands, importing his or their Receipt of ſuch Books, and ſo many Tickets therein, as ſhall be delivered to him or them reſpectively, that ſo the ſaid Receiver or Receivers may be charged to anſwer Three Pounds in Money for every One of the Tickets, in the extream Columns, which ſhall be delivered to him or them, or for ſo many as he or they ſhall not deliver back to the ſaid Managers and Directors;

Receivers to iſſue out Tickets to the Contributors.

and all and every ſuch Receiver or Receivers reſpectively, is and are hereby directed and required, upon his or their receiving of every or any entire Sum of Three Pounds

in full Payment for a Ticket from any Person or Persons contributing or adventuring as aforesaid, to cut out of One of the said Books so to be put into his or their Custody, through the said oblique Lines, Flourishes, or Devices, Indentwise, One of the Tickets in the said extream Columns, which the said Receiver or Receivers shall sign with his or their own Name or Names; and they shall permit the Contributor or Adventurer (if it be desired) to write his or her Name or Mark on the corresponding Ticket, in the same Book; and at the same Time the said Receiver or Receivers shall deliver to the said Contributor or Adventurer, the Ticket so cut off, which he or she is to keep and use for the better ascertaining and securing of the Interest which he or she, his or her Executors, Administrators, or Assigns, shall or may have in such Ticket.

Contributor may write his Name on the corresponding Ticket.

And be it further enacted by the Authority aforesaid, That the said Receivers, and each of them shall, on or before the Twenty eighth Day of October, One thousand seven hundred and fifty three, re-deliver to the said Managers and Directors, at their said Office or Place of Meeting, all the said Books, and therein all the Tickets which the said Receivers shall not have cut out and delivered to the Contributors as aforesaid; and shall also deliver to the said Managers and Directors, a true and just Account in Writing, under his or their Hands, of all Sums of Money accrued or come to the Hands of him or them respectively, by or for the Tickets delivered or to be delivered out pursuant to this Act, and how the same shall have been actually paid over by every such Receiver in pursuance of the Directions of this Act; and that the said Managers and Directors, or the major Part of them then present, shall cause all the Tickets (if any such be) of the said outermost Columns, which shall have been contributed for, and shall not have been delivered out to such Contributors, to be sealed up separately for the Contributors, who shall be intitled to the Receipts, to be mentioned as corresponding to such Tickets.

Receivers to re deliver the Books and Tickets undisposed of, to the Managers,

with an Account of the Monie received, &c.

And be it further enacted, That the said Managers and Directors, or the major Part of them, present at a Meeting as aforesaid, shall cause all the Tickets of the middle Columns in the Books made out with Three Columns as aforesaid, which shall be delivered back to them, by or from the said Receivers as aforesaid, to be carefully rolled up and made fast with Thread or Silk; and the said Managers and Directors, or the major Part of them as aforesaid, shall in their Presence, and in the Presence of such

Tickets of the middle Columns to be rolled up and tied,

such Contributors or Adventurers as will be at any such Meeting, cause all the said Tickets, which are to be so rolled up and made fast as aforesaid, to be cut off Indentwise, through the said Oblique Lines, Flourishes, or Devices, into a Box to be prepared for that Purpose, and to be marked with the Letter (A) which shall presently be put into another strong Box, to be locked up with Seven different Locks and Keys, to be kept by as many of the said Managers and Directors, and sealed with their Seals, until the said Tickets are to be drawn, as is herein after-mentioned; and that the Tickets in the First or Innermost Columns of the same Books, shall remain in the Books, for discovering any Mistake or Fraud (if any such should happen to be committed)

and cut off into a Box marked with the Letter (*A*) to be locked up in another Box.

And be it further enacted by the Authority aforesaid, That the said Managers or Directors, or the major Part of them, present at any Meeting as aforesaid, shall also prepare, or cause to be prepared, other Books, in which every Leaf shall be divided or distinguished into Two Columns, and upon each of those Two Columns, there shall be printed Fifty thousand Tickets, all which shall be of equal Length and Breadth as near as may be; which Two Columns in the said Books, shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off Indentwise; and that Four thousand one hundred and fifty nine Tickets, Part of those to be contained in the outermost Columns of the Books last-mentioned, shall be and be called the Fortunate Tickets, to which Benefits shall belong, as are herein after-mentioned; and the said Managers and Directors, or the major Part of them, or such of them as shall be present at a Meeting as aforesaid, shall cause the said Fortunate Tickets to be written upon, or otherwise expressed, as well in Figures as in Words at Length in Manner following; that is to say, Upon One of them, Ten thousand Pounds; upon One other of them, Five thousand Pounds; upon Two of them severally, Two thousand Pounds; upon Ten of them severally, One thousand Pounds; upon Fifteen of them severally, Five hundred Pounds; upon One hundred and thirty of them severally, One hundred Pounds; upon One thousand of them severally, Twenty Pounds; upon Three thousand of them severally, Ten Pounds: Which Sums so to be written or otherwise expressed upon the said Fortunate Tickets, together with Two hundred Pounds to be allowed to the Owner of the First drawn Ticket, and Three hundred Pounds to the Owner of the

Managers to prepare other Books, with Two Columns, and 50,000*l.* printed Tickets;

4,159 thereof to be Fortunate Tickets, *viz.*

1 of 10,000*l.*
1 of 5,000*l.*
2 of 2,000*l.*
10 of 1,000*l.*
15 of 500*l.*
130 of 100*l.*
1,000 of 20*l.*
3,000 of 10*l.*

with 200*l.* to the First, and 300*l.* to the Last drawn Ticket.

Last drawn Ticket, besides the Benefits which may happen to belong to the Two last-mentioned Tickets, will amount in the Whole to the Principal Sum of One hundred thousand Pounds; which Sum, together with the like Principal Sum of One hundred thousand Pounds, by this Act made payable, in respect of the Fifty thousand corresponding Tickets, of like Numbers, to be determined by the drawing of the said Lottery in Manner herein mentioned, do amount together to the Principal Sum of Two hundred thousand Pounds; and the said Managers or Directors, or the major Part of them, who shall be present at a Meeting as aforesaid,

The Tickets in the outermost Columns to be rolled up and tied,

shall cause all the said Tickets contained in the outermost Columns of the last-mentioned Books, to be in the Presence of the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, and in the Presence of such Contributors or Adventurers as will then be there, carefully rolled up and fastened with Thread or Silk, and carefully cut

and cut into a Box marked with the Letter (*B*) and locked up in another Box.

out Indentwise through the said Flourish or Device, into another Box to be prepared for this Purpose, and to be marked with the Letter (B) which Box shall be presently put into another Strong Box, and lockt up with Seven different Locks and Keys, to be kept by as many of the said Managers and Directors, and sealed up with their Seals, until those Tickets shall also be drawn in the Manner and Form herein after-mentioned; and that no Money shall be received from any Contributor or Adventurer, towards this Adventure as aforesaid, after the said Twenty sixth Day of October, One thousand seven

Tickets to be put in the Boxes 6 Days before drawing the Lottery;

hundred and fifty three; and that the Whole Business of rolling up and cutting off, and putting into the said Boxes, the said Tickets, and locking up and sealing the said Boxes, shall be performed by the said Managers and Directors, or such of them as shall be present at a Meeting as aforesaid, within Six Days at least before the

and publick Notice to be given thereof.

Drawing of the said Lottery shall begin; and to the end every Person concerned may be well assured, that the Counterpart of the same Number, with his or her Ticket, is put into the Box marked with the Letter (A) from whence the same may be drawn, and that other Matters are done as hereby directed, some publick Notification in Print shall be given of the Precise Time or Times of cutting the said Tickets into the said Boxes, to the end that such Adventurers as shall be minded to see the same done, may be present at the doing thereof.

And

And be it further enacted by the Authority aforesaid, That on or before the Twenty sixth Day of November, One thousand seven hundred and fifty three, the said Managers and Directors shall cause the said several Boxes, with all the Tickets therein, to be brought into the Guildhall of the City of London by Nine of the Clock in the Forenoon of the same Day, and placed on a Table there for that Purpose; and shall then and there severally attend this Service, and cause the Two Boxes containing the said Tickets to be severally taken out of the other Two Boxes, in which they shall have been locked up, and the Tickets or Lots in the respective innermost Boxes being, in the Presence of the said Managers and Directors, or such of them as shall be then present, and of such Adventurers as shall be there for the Satisfaction of themselves, well shaken and mingled in each Box distinctly; and that some One indifferent and fit Person to be appointed and directed by the Managers and Directors aforesaid, or the major Part of them, or such of them as shall be then present, shall take out and draw One Ticket from the Box where the said numbered Tickets shall be, as aforesaid, put; and One other indifferent and fit Person, to be appointed and directed in like Manner, shall presently take out a Ticket or Lot from the Box where the said Four thousand One hundred and fifty nine Fortunate, and Forty five thousand eight hundred and forty one Blank Tickets shall be promiscuously put as aforesaid; and immediately both the Tickets so drawn shall be opened, and the Number as well of the Fortunate as of the Blank Ticket shall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots shall appear to be a Blank, then the numbered Ticket so drawn with the said Blank, at the same Time drawn, shall be both put upon One File; and if the Ticket so drawn or taken from the Box containing the Fortunate and Blank Lots shall appear to be One of the Fortunate Tickets, then the principal Sum written upon such Fortunate Ticket, whatsoever it be, shall be entered by a Clerk, which the said Managers and Directors, or the major Part of them as aforesaid, shall employ and oversee for this Purpose, into a Book to be kept for entering the Numbers coming up with the said Fortunate Tickets, and the Principal Sum whereunto they shall be entitled respectively; and Two of the said Managers and Directors shall set their Names as Witnesses to every such Entry;

Drawing of the Lottery, to be on 26 *Nov.* 1753, and the Method to be observed therein.

Blank Tickets to be filed;

and the principal Sum written upon the Fortunate Tickets to be entered in a Book, and signed by 2 Managers;

and the Tickets to be filed.

and the said Fortunate and numbered Tickets so drawn together shall be put upon another File, and so the said Drawing of Tickets shall continue by taking One Ticket at a Time out of each Box, and with opening, naming aloud, and filing the same, and by entering the Fortunate Lots in such Method as is before mentioned, until the whole Number of Four thousand one hundred and fifty nine Fortunate Tickets, and One more, to be deemed the Last Drawn Ticket, shall be compleatly drawn; and if the Drawing of the said Lottery cannot be performed in One Day's Time, the said Managers or Directors shall cause the Boxes to be locked up and sealed in Manner as aforesaid, and adjourn till the next Day, and so from Day to Day, and every Day (except Sundays, Christmas Day, and Fast Days appointed by particular Acts of Parliament, or by the King's Proclamation) and then open the same, and proceed as above, till the whole Number of Four thousand one hundred and fifty nine Fortunate Tickets, and One more, shall be compleatly drawn as aforesaid; and afterwards the said numbered Tickets so drawn with the Fortunate Tickets drawn against the same, shall be, and remain in a strong Box locked up as aforesaid, and under the Custody of the said Managers and Directors, until they shall take them out to examine, adjust, and settle the Property thereof.

Numbers and Sums of the Fortunate Tickets to be printed; and the Managers to adjust all Disputes concerning the Property.

And to the end the Fortunate may know, whether absent or present, the Degree of their Success, the said Managers and Directors shall, as soon as conveniently may be after the Drawing of the Lottery is finished, cause to be printed and published the Numbers of all the Tickets drawn against the Fortunate Tickets, and the Principal Sums written on the same; and if any Contention or Dispute shall arise in the adjusting the Property of the said Fortunate Tickets, the major Part of the said Managers and Directors agreeing therein, shall determine to whom it doth or ought to belong; and if any Person or Persons shall forge or counterfeit any Ticket or Certificate to be made forth in pursuance of this Act, or alter any of the Numbers thereof, or utter, vend, barter, or dispose of, or offer to dispose of any false, altered, forged, or counterfeited Ticket or Certificate, or shall bring any forged or counterfeit Ticket or Certificate, or any Ticket or Certificate, the Number whereof is altered (knowing the same to be such) to the said Managers and Directors, or any of them, or to the said Governor and Company of the Bank of England,

Penalty of forging a Ticket or Certificate.

land, or their Caſhier or Caſhiers, or to any other Perſon or Perſons whatſoever, with a fraudulent Intention, then every ſuch Perſon or Perſons being thereof convicted, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy; and the ſaid Managers and Directors, or any Two or more of them, are hereby authorized to cauſe every Perſon bringing or uttering any ſuch forged or counterfeit Ticket or Certificate as aforeſaid, to be apprehended, and to commit him, her, or them, to His Majeſty's Gaol of Newgate, to be proceeded againſt for the ſaid Felony according to Law.

Provided always, and it is hereby enacted by the Authority aforeſaid, That every Perſon hereby continued and appointed as aforeſaid to be a Manager and Director for putting this Act in Execution, before his acting in ſuch Employment, ſhall take the Oath following; that is to ſay, Managers to take the following Oath.

I *A. B.* do ſwear, That I will faithfully execute the Truſts repoſed in me, and that I will not uſe any indirect Art or Means, or permit or direct any Perſon to uſe any indirect Art or Means, to obtain a Prize, or Fortunate Lot, for myſelf, or any other Perſon whatſoever; and that I will do the utmoſt of my Endeavours to prevent any undue or ſiniſter Practice to be done by any Perſon whatſoever; and that I will to the beſt of my Judgement declare to whom any Prize, Lot, or Ticket, of Right doth belong, according to the true Intent and Meaning of an Act of Parliament made in the Twenty ſixth Year of His Majeſty's Reign in that Behalf. The Oath

Which Oath ſhall and may be adminiſtered by any Two or more of the other Managers and Directors.

Provided always, That it ſhall and may be lawful to and for the ſaid Receivers, or any of them, having given Bond as aforeſaid, at any Time or Times before ſuch Receiver ſhall have received any Book or Books from the ſaid Managers and Directors, comprehending the ſaid Tickets, to receive from any Perſon or Perſons who will voluntarily offer to contribute and advance any Sum of Three Pounds, or ſeveral Sums of Three Pounds, upon this Act, not exceeding Twenty ſuch Sums for any One Perſon, or Body Politick or Corporate as aforeſaid, the Sums ſo offered to be contributed or advanced at One entire Payment, or in ſuch Proportions, and in ſuch Manner, Receivers may take in the Contributions before they receive the Books with the Tickets;

Manner, as aforesaid, before such Receiver shall have received such Book or Books; and every or any such Receiver shall give a Note or Receipt under his Hand for the Sums so contributed, and shall be obliged thereby, and by this Act, to give the Bearer of every such Note or Receipt a Ticket or Tickets of the extream Column of the Book or Books aforesaid, for every Three Pounds so contributed, paid, or answered, as soon as he shall be enabled by Delivery of any such Book or Books to him from the said Managers and Directors, as aforesaid; any thing herein contained to the contrary notwithstanding.

and give Receipts for the same, to be exchanged for Tickets.

Provided also, That in case any such Contributor as aforesaid, who shall have advanced and paid down to such Receiver or Receivers a Proportion of his or her Consideration-money, shall not advance and pay, or cause to be advanced and paid, unto such Receiver or Receivers the remaining Part of his or her Consideration-money, so to be paid in full for such Tickets as aforesaid, on or before the Time herein appointed for Payment thereof; that then, and in every such Case, every such Contributor shall forfeit and lose to the said Trustees, for the Purposes of this Act, the Proportion of his or her Purchase-money, which he or she shall have so paid down as aforesaid; and in such Case, no Ticket or Tickets shall be delivered out by the said Receiver or Receivers, unto such Contributor making such Default; but the Ticket or Tickets which should have been delivered to such Contributor, had he or they paid the full Money for the same, shall and may be disposed of by the said Receivers, to any other Contributor for the Purposes of this Act.

Contributor not paying the full Consideration-money within the Times limited, to forfeit what he shall have paid, &c.

Provided always, That it shall and may be lawful to and for the said Archbishop of Canterbury, Lord Chancellor or Lord Keeper, and the Speaker of the House of Commons, or any Two of them, to grant Orders and Warrants under their Hands, for Payment to the said Managers and Directors, or the major Part of them, of such Sums of Money to carry on and discharge, from time to time, all such incident Expences as may necessarily attend the Execution of the Trusts hereby in the said Managers and Directors reposed, in such Manner as such Archbishop, Lord Chancellor or Lord Keeper, and Speaker, or any Two of them, shall, from time to time, think reasonable, or direct in that Behalf; and the said Managers and Directors, and Receivers, and each of them, shall observe such Orders, Rules, and Directions, as they shall receive from such Archbishop, Lord Chancellor or

Trustees to grant Orders for Payment of incident Charges attending the Execution of this Act.

Managers to observe the Orders given them,

Lord Keeper, and Speaker, or any Two of them, for the due Execution of this Act; and ſhall, from time to time, when thereunto required, by Writing under the Hands of ſuch Archbiſhop, Lord Chancellor or Lord Keeper, and Speaker, or any Two of them, exhibit, or cauſe to be exhibited to them, a juſt and true Account of all and every ſuch Sum and Sums of Money as ſhall be received by them the ſaid Managers and Directors, or received by ſuch Receiver or Receivers, and how the ſame have been paid and applied; and ſhall produce, or cauſe to be produced, proper Vouchers for all ſuch Sums as they ſhall pay in the Execution of the Truſt hereby repoſed in them, and ſhall pay the Balance, if any ſhall be remaining, into the Bank of England, to be applied to the Uſes of this Act.

and to exhibit an Account of the Monies received and diſburſed.

And be it further enacted by the Authority aforeſaid, That out of the Monies to be contributed by this Act, it ſhall and may be lawful for ſuch Archbiſhop, Lord Chancellor or Lord Keeper, and Speaker, or any Two of them, in like Manner, to cauſe Payment to be made to each and every of the ſaid Managers and Directors of the Sum of One hundred Pounds each, for and in Conſideration of their Labour or Trouble, in the Execution of the ſeveral Matters herein before directed, to be by them done and performed; and over and above the ſame Allowance, to cauſe in like Manner Payment to be made to each of the ſaid Receivers, of the Sum of One hundred and fifty Pounds for his Labour and Trouble, in executing the ſaid Office of Receiver; and alſo the further Sum of One hundred Pounds to each of the Perſons hereby appointed to make and deliver Certificates, in exchange for the Tickets in the ſaid Lottery, in manner herein after mentioned, for their reſpective Labour and Trouble, in making out and delivering ſuch Certificates; and that all the Reſidue of the Money ariſing, and to be contributed by virtue of this Act, and paid into the Bank of England, for the Purpoſes of this Act, after Payment made by the Governor and Company of the Bank of England, or Money ſufficient reſerved for the Payment of the Sum and Sums of Money hereby directed to be iſſued to the Proprietors of the Fortunate Tickets in the Lottery hereby eſtabliſhed, and other the Allowances to be made purſuant to this Act, ſhall be from time to time paid out of the Bank of England, in ſuch Manner, and in ſuch Proportions, and to ſuch Perſon or Perſons, as the ſaid Truſtees, or the major Part of them, at any General

100 *l.* allowed to each of the Managers for their Labour and Trouble,

and 100 *l.* extraordinary to the Receivers,

and 100 *l.* to the Perſons making out and delivering Certificates in Exchange for the Tickets.

Reſidue of the Money, after Payment of the Prizes, *&c.* to be lodged in the Bank, *&c.*

and to be issued according to Trustees Orders.

Meeting assembled, by their Order in Writing, shall direct and appoint; and the said Governor and Company of the Bank of England are hereby directed to make Payment of all such Sums of Money, as by the said Archbishop, Lord Chancellor, or Lord Keeper, and Speaker, or any Two of them, in Manner aforesaid, or by the said Trustees, or the major Part of them, in Manner herein after mentioned, shall be ordered to be paid, and shall suffer such Person or Persons as the said Trustees, or the major Part of them, at any General Meeting assembled, shall appoint for that Purpose, by Writing, to inspect the Accounts thereof; all which Payments so to be made for or in Respect of the Lottery established by this Act, shall be free from any Rates, Taxes, Duties, or Impositions whatsoever.

Penalty of selling Chances of Tickets, &c.

And be it further enacted by the Authority aforesaid, That no Person or Persons shall sell the Chance or Chances of any Ticket or Tickets in the said Lottery, for a Day or Part of a Day, or for a longer Time than shall be less than the whole Time of drawing the Lottery; or shall receive any Money whatsoever, in Consideration of the Repayment of any Sum or Sums of Money, in case any Ticket or Tickets in the said Lottery shall prove Fortunate, or shall lay any Wager relating to the drawing of any Ticket or Tickets in the said Lottery, either as to the Time of such Ticket or Tickets being drawn, or whether such Ticket or Tickets be drawn Fortunate or Unfortunate: And all and every Person and Persons who shall offend in any of the afore-mentioned Matters, shall forfeit and pay Treble the Sum and Sums of Money, which shall have been received by such Person and Persons, contrary to the true Intent and Meaning of this Act, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, in which no Essoin, Protection, Privilege, or Wager of Law, or more than One Imparlance shall be allowed; One Moiety whereof to be for the Use of His Majesty, His Heirs, or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and every such Sale, Wager, or Contract, and every Agreement relating thereto, shall be, and is hereby declared to be null and void.

or of laying Wagers relating to the drawing of Tickets.

Application of the Forfeiture

Penalty of keeping an Office, or publishing any Scheme for receiving Money,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall keep any Office, or print or publish any Scheme or Proposal, for receiving any Sum or Sums of Money, in Consideration of an Interest

to

to be granted for the same, in any Ticket or Number of Tickets in the said Lottery, or in Consideration of any Sum or Sums to be repaid, in case any Ticket or Number of Tickets in the said Lottery, shall prove Fortunate, all and every such Person and Persons shall forfeit and pay the Sum of Five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, in which no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; One Moiety whereof to be for the Use of His Majesty, His Heirs, or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same, and also shall suffer Three Months Imprisonment without Bail or Mainprize.

in Consideration of an Interest to be granted for the same in any Ticket, or Repayment of any Sum in case such Ticket prove Fortunate.

Application of the Penalties.

And whereas, many and great Inconveniencies have arisen upon the Occasion of former Lotteries, by the excessive Advance of the Price of Tickets, especially during the Time of drawing such Lotteries; for Remedy thereof, be it further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of November, One thousand seven hundred and fifty three, it shall not be lawful for any Person or Persons whatsoever, to sell, buy, alienate, deliver, or receive, by way of Bargain or Sale, any Ticket in the said Lottery, or any Receipt for Tickets to be made out in pursuance of this Act; and every Person who shall so sell, alienate, or deliver, any Ticket, or Receipt for Tickets, shall forfeit and lose the Sum of Ten Pounds for every Ticket which shall be so sold, alienated, or delivered, and for every Ticket which shall be contained in any Receipt for Tickets so sold, alienated, or delivered; and shall, upon Conviction, be committed to the County Gaol, there to remain without Bail or Mainprize, for the Space of One Calendar Month, and until the Sums so forfeited as aforesaid, shall be fully paid and satisfied; and every Person so buying or receiving such Ticket, or Receipt for Tickets, shall forfeit and lose the same, and shall not be intitled to receive any Benefit from the drawing such Tickets; all which Penalties shall and may be recovered by Action or Information in any of His Majesty's Courts of Record at Westminster, or before any Two of His Majesty's Justices of the Peace of the County, City, Division, or Liberty, where such Offence shall be committed, or the Offender shall be found, upon the Oath or Oaths of One or more credible Witness or Witnesses (which Oaths such Justices are hereby impowered and required to administer)

Penalty on Persons who shall sell or buy Tickets, &c. after 24 *Nov.*

Application of the Penalties.

minister) all such Penalties to be applied One Third Part to the Use of His Majesty, His Heirs, and Successors, One other Third Part thereof to the Informer, and the remaining Third Part thereof to the Poor of the Parish where such Offence shall be committed; and in case any Person shall find himself aggrieved by any Determination of the Justices, it shall be lawful for such Person to appeal to the Quarter Sessions for the said County, City, Division, or Liberty, whose Determination shall be final.

Persons aggrieved may appeal to the Quarter Sessions.

Penalty of Officers taking other Fees than what are allowed by this Act, or of otherwise being unfaithful in the Discharge of their Duty.

And be it further enacted, That all Receipts and Issues, and all other Things directed by this Act to be performed by any Officers or Persons, for or in respect of the Lottery hereby established, shall be performed by them without any other Fee, Gratuity, or Reward, than what shall be allowed by virtue or under Authority of this Act; and in case any such Officer or Person shall take or demand any Fee or Reward, otherwise than as aforesaid, or shall divert or apply any of the Sums to be paid pursuant to this Act, otherwise than according to the Intent of this Act, or shall not keep Books, and cause Entries to be made, and do and perform all other Things which by this Act they are respectively required to do and perform, every such Officer shall forfeit his Place, and shall answer and pay Treble Damages and Costs of Suit to any Adventurer, or the Executors, Administrators, or Assigns of any Adventurer, or to any other Person or Persons that will sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Wager of Law, Injunction, or Order of Restraint, or more than One Imparlance shall be allowed or granted; and in the said Action the Plaintiff, upon Recovery, shall have Full Costs; One Third Part of which Sum so to be recovered, shall be paid into the Bank of England, to be applied towards carrying into Execution the Purposes of this Act; and the other Two Thirds thereof shall be to the Use of him, her, or them, who shall sue for the same.

Application of the Forfeiture.

Provided always, and it is hereby enacted by the Authority aforesaid, That in case the whole Number of One hundred thousand Tickets in such intended Lottery shall not be subscribed or contributed for, or the Residue, (if any unsubscribed) shall not be declared by the said Trustees, or the major Part of them at any General Meeting assembled, to be drawn and risqued for the Purposes of

If the whole Number of Tickets shall not be subscribed for, &c.

this Act (which Declaration the ſaid Truſtees, or the major Part of them, are hereby authorized to make) then, and in ſuch Caſe, the ſaid Managers and Directors, or the major Part of them, ſhall apportion Two Third Parts of the Money that ſhall have been actually contributed for the Purchaſe of ſuch other Tickets, in Prizes, according to their Diſcretions, having regard, as near as may be, to the Diſtribution of Prizes or Fortunate Lots, by this Act appointed, for the ſaid whole Number of One hundred thouſand Tickets, ſo as no ſuch Prize be for leſs than Ten Pounds, and no other greater Prize be computed for any fractional Part of a Pound, and ſhall cauſe publick Notice to be given thereof; and then, and in ſuch Caſe only, ſuch a Number of Tickets as ſhall ſerve to anſwer the exact Numbers of Tickets as ſhall have been ſubſcribed or contributed for, or riſqued by the ſaid Truſtees as aforeſaid, and ſuch a Number of Blanks and Prizes, and ſuch Sums in Prizes, as ſhall have been apportioned as aforeſaid, ſhall be cut and put into the ſeveral proper Bores, and drawn out in manner by this Act directed; any thing in this Act before contained to the contrary thereof in any wiſe notwithſtanding.

The Directors to apportion Two Thirds of the Money contributed, in Prizes,

and to give publick Notice thereof,

and ſuch a Number only of Tickets to be drawn as ſhall be ſubſcribed for.

And to the end that all and every the Payments upon the Fortunate Tickets may be more eaſily and duly made to the Perſons who ſhall be intitled thereto; be it further enacted by the Authority aforeſaid, That within the Space of Forty Days after the ſaid Drawing ſhall be compleated and ended, the ſaid Fortunate Tickets ſo to be drawn as aforeſaid, ſhall be exchanged for Certificates, to be ſigned by the Managers or Directors hereinafter appointed for that Purpoſe, or the major Part of them; which Certificates ſhall be made upon Paper, expreſſing the Sum or Sums to be paid to the Perſon or Perſons intitled to the Fortunate Tickets, in lieu whereof, ſuch Certificates ſhall be given; and the ſaid Managers and Directors ſhall give publick Notice of the Days and Times for taking in the ſaid Tickets, and for delivering out the Certificates for and in lieu of the ſame; and every Certificate ſhall be numbered as near as may be, in ſuch Courſe and Order, as the Tickets for which the ſame are to be made out, ſhall be brought to the ſaid Managers and Directors; for which Purpoſe, Books ſhall be kept, wherein ſhall be entered the Name of every Perſon bringing

Within 40 Days after drawing the Lottery, the Prize Tickets to be exchanged for Certificates;

and the Managers to give Notice for that Purpoſe, &c.

Books to be kept for entering the Tickets, and Names of the Perſons bringing the ſame;

bringing any Ticket or Tickets so to be exchanged, and the Number or Numbers of such Ticket or Tickets, and the Day of the Month and the Year of our Lord when the same was so brought in; which Book and Books shall lie open in the Office to be appointed for taking in the said Tickets so to be exchanged, to the intent the same may be be perused by all Persons concerned, and also that any Person or Persons may include as many Tickets into One Certificate, as they shall think fit; which Certificate shall be made out unto and in the Name of the respective Person or Persons who shall bring the said Tickets to be exchanged for the said Certificate or Certificates, or whose Names shall be indorsed on the said Tickets as the Owners or Proprietors thereof; and such Certificates shall intitle such Owners or Proprietors or their Order or Assigns, to the Sum and Sums therein respectively expressed to be due; and shall be payable and paid by the Governor and Company of the Bank of England, or their Cashier or Cashiers, upon Demand, out of the Monies that shall have been paid into the Bank of England by the said Receivers, for the Purposes of this Act.

and the Certificates to be made out in their Names, or the Indorsers;

and to be paid on Demand at the Bank.

And whereas the making and delivering of Certificates in exchange for the Fortunate Tickets of the said Lottery, and the other Matters and Things directed by by this Act to be done and performed by the said Managers and Directors, subsequent to the Drawing of the Lottery, will not necessarily require the Service and Attendance of the whole Number of such Managers and Directors; be it therefore enacted by the Authority aforesaid, That the said Four Managers and Directors as shall be in pursuance of this Act appointed Receivers of the Contributions to the said Lottery, or such of them as shall be then living, shall be and are hereby authorized and required to exchange the said Fortunate Tickets for Certificates, and to do all other Acts, Matters, and Things, which are by this Act appointed and directed to be done, executed, and performed, by the Managers and Directors after the Drawing of the Lottery; and all Matters and Things, to be done and performed by the said Managers so appointed for exchanging Tickets for Certificates, or the major Part of them, shall be as good, valid, and effectual, to all Intents and Purposes, as if the same had been done, performed, and executed, by all the Managers and Directors appointed by this Act,

The 4 Receivers to exchange the Tickets for Certificates.

Act; and from and after such End made of the Drawing of the said Lottery, the rest of the said whole Number of Managers and Directors shall be discharged from all future Service and Attendance required from and incumbent upon them by virtue of this Act.

The rest of the Managers discharged from attending after the Drawing is over.

And be it further enacted by the Authority aforesaid, That the Proprietors of the Fortunate Tickets to be drawn in the said Lottery as aforesaid, and each of them, shall on or before the Thirty first Day of December, One thousand seven hundred and fifty four, apply to the said Managers and Directors, for exchanging Tickets for Certificates, and deliver for that Purpose such Fortunate Tickets so to be exchanged; and that in Default thereof, no Certificates shall be given in Exchange for any Fortunate Tickets, not brought in for that Purpose, on or before that Day; and the Governor and Company of the Bank of England, or their Cashier or Cashiers, shall not pay any Sum or Sums of Money which would have otherwise been due on such Fortunate Tickets, not brought in to be exchanged for Certificates, on or before the said Thirty first Day of December, One thousand seven hundred and fifty four, but shall detain all such Sum and Sums of Money in their Hands, and bring the same to the Account of the said Trustees, to be applied by them, or the major Part of them, for the other Purposes of their Trust.

All Prize Tickets to be brought in and exchanged by 31 *Dec.* 1754;

No Certificates to be afterwards granted;

but the Bank to detain the Money in their Hands, and bring it to the Account of the Trustees.

And be it enacted by the Authority aforesaid, That all the Monies which shall arise from the said Lottery, subject to the Charge of Management thereof, after Payment made, or Money sufficient reserved for the Payment of the Sums hereby directed to be issued to the Proprietors of the Fortunate Tickets, shall be appropriated, and in Manner herein after mentioned, issued, applied, and reserved to the several Uses, Intents, and Purposes herein after expressed, and to no other Use, Intent, or Purpose whatsoever; that is to say, In the First Place the full and clear Sum of Twenty thousand Pounds, Part thereof, shall, before the Eleventh Day of January, One thousand seven hundred and fifty four, be issued by Order of the said Trustees, or the major Part of them, at any General Meeting assembled, to the Executors of Sir Hans Sloane, or the Survivors or Survivor of them, in Consideration of his said Mu-

Application of the Monies arising by this Act.

20,000 *l.* to the Executors of Sir *Hans Sloane*.

seum

seum or Collection, and of the Use and Benefit of the said Manor House and Garden, with the Appurtenances and Water, until such Time as the said Museum or Collection shall be removed to the said General Repository: In the next Place, and in like Manner, shall be issued to the said Countess of Oxford and Countess Mortimer, and her Trustees, the full and clear Sum of Ten thousand Pounds, or so much thereof as, together with the Legacy of Seven thousand Pounds bequeathed to the Trustees of the Cottonian Library, in Manner above mentioned, shall be sufficient, in case the said Legacy shall, before that Time, take Effect, to pay the Price for the said Harleian Collection of Manuscripts, so as the said Collection, until such Time as the said General Repository shall be erected or provided for the Reception thereof, shall remain in the Place where the same is now lodged, or in some other convenient Place to be approved by the said Trustees, or the major Part of them so assembled, and shall be there preserved and maintained at the Costs and Charges of the said Countess of Oxford and Countess Mortimer, and her Trustees; after Payment of which several Sums of Twenty thousand Pounds, and Ten thousand Pounds, so much Money shall and may be issued and applied by Order of the said Trustees, or the major Part of them so assembled, as shall be sufficient to defray the Expence of erecting or providing the said General Repository, and of the necessary Furniture thereof, and of such Cabinets, Book Cases, and other Conveniencies or Embellishments, as the Condition of the several Collections in the said General Repository contained shall require; and also of the Expence which may be incurred in preserving and maintaining the said Museum or Collection of Sir Hans Sloane, at his said Manor House at Chelsea, during such Time as the said Museum or Collection shall remain there, and in removing the said Museum or Collection; and also in removing the Cottonian Library, and the Additions thereunto made or to be made, and the Harleian Collection of Manuscripts, to the said General Repository; which Expence being defrayed, the Sum of Thirty thousand Pounds shall and may be reserved to be placed out at Interest, by Order of the said Trustees, or the major Part of them, in any General Meeting assembled, in any Parliamentary Security or Securities, or

10,000 *l.* to the Countess of *Oxford* and Countess *Mortimer*.

A General Repository to be provided thereout, and other necessary Expences attending the preserving the *Museum, Cottonian Library*, and *Harleian Collection of Manuscripts*.

30,000 *l* to be put out at Interest in the publick Funds, towards Payment of Officers Salaries, and other necessary Expences.

to be lent, from time to time, in Part, or in the Whole, upon the Credit of any Taxes or Duties imposed by Parliament, at such Interest for the Forbearance of such Loan, as by any Act imposing such Taxes or Duties, or any other Act, shall be limited; the Interest of which Sum of Thirty thousand Pounds so reserved, shall and may be issued and applied, by like Order of the said Trustees, or the major Part of them so assembled, for and towards Payment of the Salaries and Allowances which, in Manner aforesaid, shall be assigned by the said Trustees to the Officers and Servants attending or assisting in the said General Repository, and for and towards the Payment of such other Costs and Charges as the Custody and Preservation of the said several Collections, and the Repairs or Alterations of the said General Repository, and the due Execution of the Trust hereby reposed in the said Trustees, shall require: And if after Payment of the said first-mentioned Sum of Twenty thousand Pounds, and of the said Sum of Ten thousand Pounds, or Part thereof, upon the Contingency herein before-mentioned; and after Payment of so much Money as the Expence of erecting, or providing and furnishing the said General Repository, and of such Cabinets, Book Cases, and other Conveniencies and Embellishments, and of maintaining or preserving the said Museum or Collection of Sir Hans Sloane at the said Manor House at Chelsea, and of removing the said several Collections to the said General Repository, shall amount to; and if after reserving the last-mentioned Sum of Thirty thousand Pounds for the Purposes aforesaid, any Surplus shall remain of the Monies so raised by virtue of this Act, the same shall be reserved for the future Disposition of Parliament.

The Surplus, if any, to be reserved for the future Disposition of Parliament;

Provided always, That in the mean Time, until such Surplus shall be disposed of by Parliament, it shall be lawful to and for the said Trustees, or the major Part of them so assembled as aforesaid, to place out or lend the said Surplus, or any Part thereof, upon such Securities, and upon such Credit, as they are herein before impowered to place out or lend the said Sum of Thirty thousand Pounds herein before-directed to be reserved, the Proceed or Interest thereof, until the Principal-money shall be so disposed of by Parliament,

and may be placed out at Interest, to be applied to the Uses of this Act.

liament, to be applied to such Uses, for the better accomplishing the Design of this Act, as by the said Trustees, or the major Part of them, in any General Meeting assembled, shall be limited and directed.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

REGIS

GEORGII III

Anno vicesimo sexto

Georgii II. Regis.

An Act for granting to His Majesty a certain Sum of Money therein mentioned, out of the Sinking Fund; and for applying certain Surplus Monies remaining in the Exchequer, for the Service of the Year One thousand seven hundred and fifty three; and for the further appropriating the Supplies granted in this Session of Parliament; and for enlarging the Time limited by an Act of the last Session of Parliament, for subscribing Annuities after the Rate of Three Pounds *per Centum per Annum*, and Three Pounds Ten Shillings *per Centum per Annum*, into the Joint Stock of Annuities; and for other Purposes therein mentioned.

MOST gracious Sovereign, we your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, being desirous to raise the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, for the Service of the year One thousand seven hundred and fifty three, in the easiest Manner we are able for the Benefit of your Majesty's Subjects; and also to use such Ways and Means therein, as that your Preamble.

Majesty, may have the better and more speedy Effect of the said Supplies, have resolved to give and grant unto Your Majesty, the Sum of Four hundred and twenty thousand pounds, out of the Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund; and to that End and Purpose do most humbly beseech Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as now are, or shall from time to time be and remain in the Receipt of the Exchequer, of the said Surplusses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund (after paying or reserving sufficient to pay all such Sum and Sums of Money, as have been directed by any former Act or Acts of Parliament, to be paid out of the same) there shall and may be issued and applied a Sum not exceeding the said Sum of Four hundred and twenty thousand pounds, for and towards the Supply granted to his Majesty, for the Service of the year One thousand seven hundred and fifty three; and the Commissioners of his Majesty's Treasury, or any Three or more of them now being, or the High Treasurer, or any Three or more of the Commissioners of the Treasury for the time being, are hereby authorized and impowered to issue and apply the same accordingly.

420,000 *l.* granted out of the Sinking Fund, for the Service of the current Year,

And be it further enacted by the Authority aforesaid, That the Sum of One hundred thousand four hundred eighty two pounds, fourteen shillings, and three pence half-penny, remaining in the Receipt of his Majesty's Exchequer, on the Two Seventh Parts of the additional Rates and Duties of Excise, granted by an Act of the Fifth Year of the Reign of their late Majesties King William and Queen Mary; and the Sum of Seventy nine thousand eight hundred twelve pounds, and sixteen shillings, remaining in the Receipt of his Majesty's Exchequer, of the Surplus of the Funds for the Lottery in the Year of our Lord One thousand seven hundred and fourteen; and the Sum of Fifty four thousand five hundred eighty pounds and nine shillings, remaining in the Exchequer of the additional Duties on Low Wines and Spirituous Liquors, granted by several Acts of the Sixteenth and Twenty fourth Years of his Majesty's Reign; and also the Sum of Eighteen thousand thirty five pounds, nine shillings,

with the further Sums in the Exchequer, of 100,482 *l.* 14 *s.* 3 *d.* 2 *q.* for the additional Duties of Excise granted by Act 5 *Will. & Mary*;

79,812 *l.* 16 *s.* Surplus of the Funds for the Lottery in the Year 1714,

54,580 *l.* 9 *s.* of the additional Duties on Low Wines, &c. granted by Acts 16 & 24 *Geo.* II.

18,035 *l.* 9 *s.* 3 *q.* Overplus of the Grants unappropriated, for the Service of the Year 1752.

shillings, and three farthings, now remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year One thousand seven hundred and fifty two, but not applied to the Service of that Year, shall and may be issued and applied at the said Receipt, as Part of the Supply granted to His Majesty for the Service of the Year One thousand seven hundred and fifty three; any thing in this or any former Act or Acts of Parliament to the contrary thereof in any wise notwithstanding.

Appropriation of the Supplies.

Provided always, and it is hereby further enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon One Act of this Session of Parliament, (intituled, An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty three; and for enlarging the Time limited by an Act of the last Session of Parliament for subscribing Annuities, after the Rate of Three Pounds *per Centum per Annum*, into the Joint Stock of Annuities therein mentioned) and so much Money (if any such be) of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills, made or to be made on the same Act, and all the Interest, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raising the said Duties shall be satisfied, or Money sufficient shall be reserved in the Exchequer, to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon One other Act of this Session of Parliament, (intituled, An Act for granting an Aid to His Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year One thousand seven hundred and fifty three) and so much Money (if any such be) of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills, made or to be made on the same Act, and all the Interest, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer, to satisfy and discharge the same; and the Sum of One hundred thousand four hundred eighty two pounds, fourteen shillings, and three pence halfpenny, remaining in the Exchequer, on the Two Seventh Parts of the additional Rates and Duties of Excise, granted by an Act of the Fifth Year

The Monies arising by the Malt Act,

and Land Tax,

and other Sums remaining in the Exchequer, &c.

2

of the Reign of their late Majesties King William and Queen Mary; and the Sum of Seventy nine thousand eight hundred twelve pounds, and sixteen Shillings, remaining in the Exchequer, of the Surplus of the Funds for the Lottery, in the Year of our Lord One thousand seven hundred and fourteen; and the Sum of Fifty four thousand five hundred eighty pounds, and nine shillings, remaining in the Exchequer of the additional Duties on Low Wines and Spirituous Liquors, granted by several Acts of the Sixteenth and Twenty fourth Years of His Majesty's Reign; and the Sum of Eighteen thousand thirty five pounds, nine shillings, and three farthings, remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year One thousand seven hundred and fifty two, but not applied to the Service of that Year; and also the Sum of Four hundred and twenty thousand pounds by this Act granted, shall be further appropriated, and are hereby appropriated, for and towards the several Uses and Purposes herein after expressed; that is to say; it is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding Eight hundred thousand two hundred six pounds, thirteen shillings, and eleven pence, for or towards the Naval Services herein after particularly expressed; that is to say, for or towards Victuals, Wages, Wear, and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance, performed and to be performed, and for or towards defraying the Ordinary of His Majesty's Navy, and for Half-pay to Sea Officers, for the Year One thousand seven hundred and fifty three.

viz. 800,206 *l.* 13 *s.* 11 *d.* for Naval Services.

And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding Ten thousand pounds, upon account, towards the Support of the Royal Hospital at Greenwich, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000 *l.* towards the Support of *Greenwich* Hospital.

And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid,

aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding One hundred sixteen thousand five hundred six pounds, one shilling, and three pence, for the Charge of the Office of Ordnance for Land Service, for the Year One thousand seven hundred and fifty three, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament. 116,506 *l.* 1 *s.* 3 *d.* towards defraying the Charge of the Office of Ordnance for the Land Service.

And it is hereby also enacted, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding One million sixty seven thousand twenty one pounds, and eleven pence halfpenny, for and towards maintaining his Majesty's Land Forces, and other Services, herein after more particularly expressed; that is to say, Any Sum or Sums of Money, not exceeding Six hundred twenty eight thousand three hundred fifteen pounds, seven shillings, and eleven pence, for defraying the Charge of Eighteen thousand eight hundred and fifty seven effective Men, including Commission and Non-commission Officers, and also One thousand eight hundred and fifteen Invalids for Guards, Garrisons, and other his Majesty's Land Forces in Great Britain, Guernsey, and Jersey, for the Year One thousand seven hundred and fifty three; and any Sum or Sums of Money, not exceeding Two hundred thirty six thousand four hundred twenty pounds, eighteen shillings, and six pence halfpenny, for maintaining his Majesty's Forces and Garrisons in the Plantations, Minorca, and Gibraltar, and for Provisions for the Garrisons in Nova Scotia, Newfoundland, Gibraltar, and Providence, for the Year One thousand seven hundred and fifty three; and any Sum or Sums of Money, not exceeding Fifty eight thousand two hundred seventy pounds, fifteen shillings, and five pence, upon account, for Out-pensioners of Chelsea Hospital, for the Year One thousand seven hundred and fifty three; and any Sum or Sums of Money, not exceeding Fifty eight thousand pounds, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year One thousand seven hundred and fifty three, subject to such Rules to be observed in the Application of the said Half-pay, as are hereafter prescribed concerning the same; and any Sum or Sums of Money, not exceeding Four thousand two hundred eighty eight pounds, five shillings, and five

1,067,021 *l.* 11 *d.* 2 *q.* towards the Land Forces in general; *viz.*

628,315 *l.* 7 *s.* 11 *d.* for Guards and Garrisons, *&c.* in *Great Britain*, *Guernsey*, and *Jersey*;

236,420 *l.* 18 *s.* 6 *d.* 2 *q.* for Guards and Garrisons, *&c.* in the Plantations, *Minorca*, and *Gibraltar*, and for Provisions for the Garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, and *Providence*.

58,270 *l.* 15 *s.* 5 *d.* granted to Out-pensioners of *Chelsea Hospital*;

58,000 *l.* to the reduced Officers of the Land Forces and Marines;

4,288 *l.* 5 *s.* 5 *d.* to the Officers and Gentlemen of the Horse Guards, *&c.* reduced;

five pence, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the Two Troops of Horse Guards, and Regiment of Horse, reduced, and to the superannuated Gentlemen of the Four Troops of Horse Guards, for the year One thousand seven hundred and fifty three; and any Sum or Sums of Money, not exceeding Three thousand and thirty six pounds, for paying of Pensions to the Widows of such reduced Officers of His Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in Great Britain, and who were married to them before the Twenty fifth Day of December, One thousand seven hundred and sixteen, for the year One thousand seven hundred and fifty three; which said Sum of Three thousand and thirty six pounds, shall be issued to such Person or Persons as His Majesty shall, by Warrant or Warrants under His Royal Sign Manual, direct and appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists, or other Directions, and with and subject to such Conditions, Qualifications, and other Allowances for the same, as His Majesty, by such and the like Warrant or Warrants, shall be graciously pleased to direct and appoint; and any Sum or Sums of Money, not exceeding Twenty six thousand six hundred eighty nine pounds, thirteen shillings, and eight pence, for defraying the extraordinary Expences of His Majesty's Land Forces, and other Services, incurred in the year One thousand seven hundred and fifty two, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding Twenty thousand pounds, to enable His Majesty to make good His Engagements with the Elector of Bavaria, pursuant to Treaty; and any Sum or Sums of Money, not exceeding Thirty two thousand pounds, to enable His Majesty to make good his Engagements with the King of Poland Elector of Saxony, pursuant to Treaty.

3,036 *l.* to the Pensions of Widows of Half-pay Officers.

26,689 *l.* 13 *s.* 8 *d.* for extraordinary Expences of Land Forces, and other Services, incurred in the Year 1752.

20,000 *l.* to the Elector of *Bavaria*.

32,000 *l.* to the King of *Poland*.

And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding Forty seven thousand four hundred forty eight pounds, five shillings, and ten pence, upon account, for defraying the Charges incurred by supporting and maintaining the Settlement of His Majesty's Colony of Nova Scotia, in the year One

47,448 *l.* 5 *s.* 10 *d.* towards the settling *Nova Scotia* in 1752, not provided for;

One thousand seven hundred and fifty two, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding Forty seven thousand one hundred fifty seven pounds, six shillings, and six pence, upon account, for supporting and maintaining the Settlement of His Majesty's Colony of Nova Scotia, for the Year One thousand seven hundred and fifty three.

and 47,167 *l.* 6 *s.* 6 *d.* to the said Colony for the present Year.

And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding Seven thousand nine hundred sixteen pounds, nineeen shillings, and eleven pence, to replace to the Sinking Fund the like Sum paid out of the same to make good the Deficiency of the additional Stamp Duties at Christmas, One thousand seven hundred and fifty one; and any Sum or Sums of Money not exceeding Seven hundred forty nine pounds, three shillings, and three pence halfpenny, to replace to the said Sinking Fund the like Sum paid out of the same to make good the Deficiency of the Duty on Licences for retailing of Spirituous Liquors at Lady Day, One thousand seven hundred and fifty two; and any Sum or Sums of Money not exceeding Nine thousand eight hundred forty six pounds, three shillings, and three pence halfpenny, to replace to the said Sinking Fund the like Sum paid out of the same, to make good the Deficiency of the Duty of Twelve Shillings a Barrel on Sweets or Wines made from British or Foreign Fruit or Sugar at Michaelmas, One thousand seven hundred and fifty two; and any Sum or Sums of Money not exceeding Two thousand two hundred fourteen pounds, two shillings, and three pence, to be applied and paid to Captain John Vernon, in full Satisfaction of all his Demands on Claims to, or Interest in Forty Acres of Land in the Island of Sheepey, in the County of Kent, now in the Possession of the Crown, whereon the Fort of Sheerneis stands; and any Sum or Sums of Money not exceeding Two thousand pounds towards enabling the Commissioners for building a Bridge cross the River Thames from the City of Westminster to the opposite Shore in the County of Surrey, to maintain the said Bridge, and to perform the other Trusts reposed in them; and any Sum or Sums of Money, not exceeding Three thousand pounds, towards laying out, making, and keeping in Repair a Road proper for the Passage of Troops and Carriages from the City of Carlisle to the Town of Newcastle

7,916 *l.* 10 *s.* 11 *d.* to make good the Deficiency of the additional Stamp Duties at *Christmas*, 1751.

749 *l.* 3 *s.* 3 *d.* 2 *q.* to make good the Deficiency of the Duties on Licences for retailing o Spirituous Liquors, at *Lady-day*, 1752.

9,846 *l.* 3 *s.* 3 *d* 2 *q.* to make good the Deficiency of the Duties on Sweets or Wines, at *Michaelmas* 1752.

2,214 *l.* 2 *s.* 3 *d.* to Captain *Vernon*, in full, for his Interest in the Lands in the Island of *Sheepey*, whereon the Fort of *Sheerness* stands.

2,000 *l.* to the Commissioners of *Westminster* Bridge, to perform the Trusts reposed in them.

3,000 *l.* towards making a Road from *Carlisle* to *Newcastle upon Tyne*.

16,600 *l.* towards supporting the Forts and Settlements on the Coast of *Africa*.

upon Tyne; and any Sum or Sums of Money not exceeding Sixteen thousand pounds, towards building a Fort at Annamabo, and the Maintenance and Support of that and other British Forts and Settlements upon the Coast of Africa, to be applied in such Manner as His Majesty shall think proper; and any Sum or Sums

2,632 *l.* to defray the Charges of the Civil Establishment of *Georgia*.

of Money not exceeding Two thousand six hundred and thirty two pounds, upon account, for defraying the Charges of the Civil Establishment of His Majesty's Colony of Georgia, and other incidental Expences attending the same from the Surrender of the Charter to His Majesty by the late Trustees on the Twenty fourth of June, One thousand seven hundred and fifty two, to the Twenty fourth of June, One thousand seven hundred and fifty three.

These Aids to be applied only to the Uses beforementioned.

And be it further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses and Purposes beforementioned; or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose, contained in any other Act or Acts of this present Session of Parliament.

Rules to be observed in the Application of the Sum of 58,000 *l.* appropriated to the Payment of reduced Officers.

And as to the said Sum of Fifty eight thousand pounds by this Act appropriated on Account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of Sixteen Years, at the Time when the Regiment, Troop, or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop, or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under His Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in Great Britain or Ireland, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant

or

or Appointment, except to such Persons who would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the Five Regiments of Dragoons, and Eight Regiments of Foot, lately disbanded in Ireland, except to such as were lately taken off the Establishment of half-pay in Great Britain.

And whereas by an Act of Parliament made and passed in the Twenty fifth Year of his Majesty's Reign (intituled, An Act for granting to His Majesty a certain Sum of Money therein mentioned out of the Sinking Fund, and for enabling His Majesty to raise a further Sum of Money therein also mentioned by Exchequer Bills, to be charged on the said Sinking Fund, for the Service of the Year One thousand seven hundred and fifty two, and for the further appropriating the Supplies granted in this Session of Parliament) several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several Uses and Purposes therein expressed; amongst which any Sum or Sums of Money not exceeding Sixty thousand pounds was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said half-pay, as in and by the aforesaid Act were prescribed in that Behalf: Now it is hereby provided, enacted, and declared, by the Authority aforesaid, That so much of the said Sum of Sixty thousand pounds, as is or shall be more than sufficient to satisfy the said Reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or lost their Limbs in the late Wars, or such others as by reason of their long Service, or otherwise, His Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act or the said former Act to the contrary notwithstanding.

Act 25 Geo II.

Overplus of the Sum of 60,000 l. appropriated by the recited Act to the Reduced Officers, to be applied to such Objects of Charity as His Majesty shall direct.

And whereas by an Act made in this Session of Parliament, intituled, An Act for continuing and granting to His Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year One thousand seven hundred and fifty three; and for enlarging the Time limited by an Act of the last Session of Parliament for subscribing Annuities

Recital of clauses in an Act of this and of the last Session.

Annuities after the Rate of Three Pounds *per Centum per Annum*, into the Joint Stock of Annuities therein mentioned, reciting, that by an Act made in the last Session of Parliament, intituled, An Act for converting the several Annuities therein mentioned into several Joint Stocks of Annuities transferrable at the Bank of *England*, to be charged on the Sinking Fund; and also for consolidating the several other Annuities therein mentioned, into several Joint Stocks of Annuities transferrable at the *South Sea* House, Books were directed to be prepared for receiving the Subscription or Consent of such of the Proprietors of several Annuities after the Rate of Three Pounds per Centum per Annum, as should subscribe the same into the Joint Stock of Annuities in the said Act described, at any Time between the Twenty fourth Day of June, One thousand seven hundred and fifty two, and the Fifth Day of January, One thousand seven hundred and fifty three inclusive, and no longer; and further reciting, that the greatest Part of the said Annuities had been subscribed accordingly, and that some of the Proprietors of such Part of the said Annuities as remained unsubscribed, might be desirous that the Time for such Subscription should be enlarged, which would also be of Advantage to the Publick; it was enacted, That the Governor and Company of the Bank of England should cause such Books as had been prepared according to the Directions of the said Act, for receiving the Subscription of the Proprietors of the said Annuities into the said Joint Stock of Annuities, to be kept open at the Bank of England for that Purpose, in such Manner as by the said Act made in the last Session of Parliament is directed, to the Fifth Day of April, One thousand seven hundred and fifty three, inclusive, being the Time limited by the said Act for the Subscription of other Annuities, after the Rate of Three Pounds Ten Shillings per Centum per Annum; and that such Proprietors of the said Annuities after the Rate of Three Pounds per Centum per Annum, as had not subscribed the same into the said Joint Stock of Annuities, their respective Attornies, Representatives, or Assigns, and all Persons authorized by the said Act to subscribe for them before the said Fifth Day of January, One thousand seven hundred and fifty three, should have Power to make such Subscription without Fee or Charge, at any Time before the said Fifth Day of April, One thousand seven hundred and fifty three, and that such Subscription should be as valid and effectual to all Intents and Pur-

poses, as if the same had been made before the said Fifth Day of January, One thousand seven hundred and fifty three: And whereas although the greatest Part as well of the said Annuities, after the Rate of Three Pounds per Centum per Annum, as of the said Annuities after the Rate of Three Pounds Ten Shillings per Centum per Annum hath been subscribed, according to the Direction of the said Acts made in the last and in the present Session of Parliament, but Part thereof still remains unsubscribed: And whereas the enlarging of the Time for the Subscription of the said Annuities after the Rate of Three Pounds Ten Shillings per Centum per Annum, and the further enlarging of the Time for the Subscription of the said Annuities after the Rate of Three pounds per Centum per Annum, may be a Benefit to such of the Proprietors of the said several Annuities as have not yet subscribed the same, and will also be of Advantage to the Publick; be it enacted by the Authority aforesaid, That the Governor and Company of the Bank of England, shall cause such Books, as have been prepared according to the Direction of the said Act made in the last Session of Parliament, for receiving the Subscription of the Proprietors of the said several Annuities into the said several Joint Stocks of Annuities, to be kept open at the Bank of England for that Purpose, in such Manner, as by the said Act is directed, to the Tenth Day of October, One thousand seven hundred and fifty three, inclusive; and such Proprietors of the said several Annuities as have not already subscribed the same into the said several Joint Stocks of Annuities, their respective Attornies, Representatives, or Assigns, and all Persons authorized by the said Act to subscribe for them, shall have Power to make such Subscription without Fee or Charge, at any Time before the said Tenth Day of October, One thousand seven hundred and fifty three; and such Subscriptions shall be as valid and effectual to all Intents and Purposes, as if the same had been made before the said Fifth Day of January, or Fifth Day of April, One thousand seven hundred and fifty three; and that all such Proprietors of any Part of the said several Annuities remaining unsubscribed, as shall not before the said Tenth Day of October, One thousand seven hundred and fifty three by themselves, or by their respective Attornies, Representatives, or Assigns, or the Persons authorized, by the said Act made in the last Session of Parliament,

Books to be kept open at the Bank to 10 *October*, 1753, for receiving the Subscriptions of the Proprietors of the remaining unsubscribed Annuities into the several Joint Stocks.

Such of the Proprietors as shall not before the said Day, subscribe their Dissent thereto, to have the Benefit of the said former Acts and of this;

liament,

4

liament, to subscribe for them, declare and signify, by subscribing in the same or other Books to be kept open at the Bank of England for this Purpose, under a proper Preface, their Names and Places of Abode, with other proper Additions, their Dissent to the converting their Annuities into the said respective Joint Stocks of Annuities in the said Act described, shall have the Benefit of the said Acts made in the last and present Session of Parliament, and of this present Act, in as full and ample Manner as if they had respectively subscribed their said Annuities pursuant to the Direction of either of the said Acts; and that the said Annuities, the respective Proprietors whereof shall not, on or before the said Tenth Day of October, One thousand seven hundred and fifty three, so express such Dissent, shall, from and after the said Tenth Day of October, One thousand seven hundred and fifty three, be converted into the said respective Joint Stocks of Annuities in the said Act of the last Session of Parliament described.

and the said Annuities to be converted into the respective Joint Stocks.

2

FINIS.

Anno Regni
GEORGII III.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno Regni

GEORGII

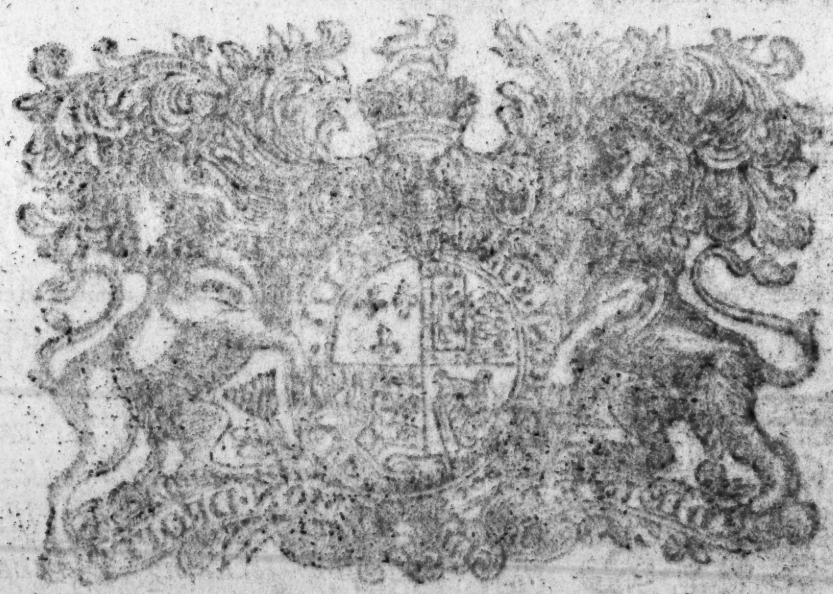
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at Westminster, the Tenth Day of November, Anno Dom. 1747, in the Twenty first Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the Twenty fifth Day of January, 1753, being the Sixth Session of this present Parliament.



LONDON:

Printed by Thomas Baskett, Printer to the King's most Excellent Majesty; and by the Assigns of Robert Baskett. 1753.

Anno vicesimo sexto

Georgii II. Regis.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees.

WHEREAS by a Clause in an Act of Parliament passed in the Third year of His late Majesty's Reign (intituled, An Act for explaining an Act passed in the last Session of Parliament, intituled, *An Act to oblige Papists to register their Names and Real Estates, and for enlarging the Time for such Registering, and for securing Purchases made by Protestants*) it was enacted, That from and after the Twenty ninth Day of September, in the year of our Lord One thousand seven

Preamble, reciting the Act 3 *Geo.* I.

ſeven hundred and ſeventeen, no Manors, Lands, Tenements, Hereditaments, or any Intereſt therein, or Rent or Profit thereout, ſhould paſs, alter, or change from any Papiſt, or Perſon profeſſing the Popiſh Religion, by any Deed or Will, except ſuch Deed within Six Months after the Date, and ſuch Will within Six Months after the Death of the Teſtator, ſhould be inrolled in One of the King's Courts of Record at Weſtminſter, or elſe within the ſame County or Counties, wherein the Manors, Lands, and Tenements lie, in ſuch Manner as therein for that Purpoſe is particularly directed: And whereas by a Clauſe in another
10 Geo. I. Act of Parliament paſſed in the Tenth Year of His ſaid late Majeſty's Reign (intituled, An Act for explaining and amending an Act of the laſt Seſſion of Parliament, intituled, *An Act to oblige all Perſons being Papiſts, in that Part of* Great Britain *called* Scotland; *and all Perſons in* Great Britain *refuſing or neglecting to take the Oaths appointed for the Security of His Majeſty's Perſon and Government, by ſeveral Acts therein mentioned, to regiſter their Names and Real Eſtates*; and for enlarging the Time for taking the ſaid Oaths, and making ſuch Regiſters; and for allowing further Time for the Inrolment of Deeds or Wills made by Papiſts, which have been omitted to be inrolled, purſuant to an Act made in the Third Year of His ſaid late Majeſty's Reign; and alſo for giving Relief to Proteſtant Leſſees) it was enacted, for the Relief of ſuch Perſons who had omitted or neglected to inroll their Deeds or Wills, That every Deed and Will which had been then made ſince the Twenty ninth Day of September, One thouſand ſeven hundred and ſeventeen, in order to paſs, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or Rent or Profit thereout, from any Papiſt, or Perſon profeſſing the Popiſh Religion, though not then inrolled, ſhould be as good and effectual in the Law, as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Time limited by the ſaid Clauſe in the ſaid former Act for Inrolment thereof; provided the ſaid Deeds and Wills ſhould be inrolled on or before the Twenty ninth Day of September, One thouſand ſeven hundred and twenty four, in ſuch Manner as by the ſaid former Act was directed; And whereas by a Clauſe in an Act paſſed in the

the Third Year of his preſent Majeſty (intituled, An Act for continuing and amending an Act for regulating the Price and Aſſize of Bread; for Relief of Bankrupts, whoſe Certificates were not allowed before the Expiration of a late Act, for the better preventing Frauds committed by Bankrupts; for allowing further Time for Inrolment of Deeds or Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees; and for making further Proviſion concerning Certificates relating to the Settlements of poor Perſons, and the Charges of maintaining and removing certificated Perſons) it was enacted, for the Relief of ſuch Proteſtant Purchaſers and Leſſees, and ſuch other Perſons as had neglected or omitted to inroll their Deeds or Wills in due Time, That every Deed and Will then made ſince the Twenty ninth Day of September, in the Year of our Lord One thouſand ſeven hundred and ſeventeen, in order to paſs, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, though not then inrolled, ſhould be as good and effectual in the Law, as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Time limited in the ſaid Clauſes in the ſaid former Acts for the Inrolment thereof, provided the ſame Deeds and Wills ſhould be inrolled on or before the Twenty ninth Day of September, One thouſand ſeven hundred and thirty one, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt mentioned Act was directed: And whereas by a Clauſe in another Act of Parliament paſſed in the Sixth Year of his preſent Majeſty's Reign (intituled, An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers and Leſſees) it was enacted, That every Deed and Will then made ſince the Twenty ninth Day of September, One thouſand ſeven hundred and ſeventeen, in order to paſs, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, though not inrolled, ſhould be as good and effectual in the Law as the ſame would have been, in caſe the ſaid Deeds and Wills had been inrolled within the Times limited in the ſaid

3 Geo. II.

6 Geo. II.

Clauses in the said Acts, for the Inrolment thereof; provided the same Deeds and Wills should be inrolled on or before the Twenty ninth Day of September, One thousand seven hundred and thirty three, in such Manner, as by the said Clause in the said first mentioned Act is directed: And whereas by a Clause in
9 *Geo.* II. another Act, passed in the Ninth Year of His present Majesty (intituled, An Act for indemnifying Persons who have omitted to qualify themselves for Offices within the Time limited by Law, and for allowing further Time for that Purpose; and for amending so much of an Act passed in the Second Year of the Reign of His present Majesty, as requires Persons to qualify themselves for Offices before the End of the next Term or Quarter Sessions; and for enlarging the Time limited by Law for making and subscribing the Declaration against Transubstantiation, and for allowing further Time for Inrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, or Lessees) it was enacted, That every Deed and Will made since the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and seventeen, in order to pass, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist, or Person professing the Popish Religion, though not then inrolled, should be as good and effectual in the Law, as the same would have been in case the said Deeds and Wills had been inrolled within the Time limited by the said Clauses in the said Acts, for the Inrolment thereof; but it was provided by the said last mentioned Clause, That the same Deeds and Wills should be inrolled on or before the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and thirty six, in such Manner as by the said first Clause in the said mentioned Act is directed: And whereas by an Act
11 *Geo.* II. passed in the Eleventh Year of his present Majesty (intituled, An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees) it was enacted, That every Deed and Will made since the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and seventeen, in order to pass, alter, or change any Manors, Lands, Tenements, or Hereditа-

Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist, or Person professing the Popish Religion, though not inrolled, should be as good and effectual in the Law, as the same would have been in case the Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts for the Inrolment thereof, provided the same Deeds and Wills should be inrolled on or before the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and thirty eight, in such Manner as by the said Clause in the said first mentioned Act is directed: And whereas by an Act passed in the Twelfth Year of his present Majesty, (intituled, An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees) it was enacted, That every Deed and Will made since the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and seventeen, in order to pass, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist, or Person professing the Popish Religion, though not inrolled, or not inrolled in due Time, should be as good and effectual in the Law, as the same would have been in case the said Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts, for Inrolment thereof; provided the same Deeds and Wills should be inrolled on or before the Twenty eighth Day of November, in the Year of our Lord One thousand seven hundred and thirty nine, in such Manner as by the said Clause in the said first mentioned Act is directed: And whereas by an Act passed in the Sixteenth Year of his present Majesty (intituled, An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists, and for Relief of Protestant Purchasers, Devisees, and Lessees) it was enacted, That every Deed and Will made since the Twenty ninth Day of September, in the Year of our Lord One thousand seven hundred and seventeen, in order to pass, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist, or Person professing the Popish Religion, though not inrolled, or not inrolled in due Time, should be as good and effectual

12 *Geo.* II.

16 *Geo.* II.

in the Law, as the same would have been in case the said Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts, for the Inrolment thereof, provided the same Deeds and Wills should be inrolled on or before the Twenty eighth Day of November, in the Year of our Lord One thousand seven hundred and forty three, in such Manner as by the said Clause in the said first mentioned Act is directed: And whereas by an Act of Parliament passed in the Nineteenth Year of his present Majesty's Reign (intituled, An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers, Devisees, and Lessees) it was enacted, That every Deed and Will made since the Twenty ninth Day of September, One thousand seven hundred and seventeen, in order to pass, alter, or change any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist, or Person professing the Popish Religion, though not inrolled, or not inrolled in due Time, shall be as good and effectual in the Law as the same would have been in case the said Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts, for the Inrolment thereof; provided the same Deeds and Wills should be inrolled on or before the First Day of December, One thousand seven hundred and forty six, in such Manner as by the said Clause in the said first mentioned Act is directed: And whereas several of His Majesty's Protestant Subjects, since the said First Day of December, One thousand seven hundred and forty six, may have purchased Lands, Tenements, and Hereditaments, and taken Leases upon Fines paid, wherein some small Rents have been reserved from Papists, or Persons professing the Popish Religion, and have neglected and omitted to inroll their Purchase Deeds, Grants, or Leases, and may be in Danger of being defeated of their said Purchases, Grants, or Leases: And whereas several Infants and others, claiming under the last Wills and Testaments of Papists, or Persons professing the Popish Religion, may be defeated of their Manors, Lands, Tenements, and Hereditaments so devised to them, through the Neglect or Omission of the Executors or Trustees of such Wills, to inroll the same in due Time: To relieve therefore,

& 19 Geo. II.

therefore such Protestant Purchasers, Devisees, Grantees, and Lessees, and such other Persons as have neglected or omitted to inroll their Deeds and Wills in due Time; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Deed and Will made since the First Day of December, One thousand seven hundred and forty six, in order to pass, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist, or Person professing the Popish Religion, to any Protestant or Protestants, or by or by reason of which Deed or Will any Protestant or Protestants may claim or derive any legal, equitable, or other Interest whatsoever, to his, her, or their Use, for his, her, or their Benefit, or to the Use or Benefit of any other Protestant or Protestants, though not inrolled, or not inrolled in due Time, shall be as good and effectual in the Law, as the same would have been in case the said Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts for the Inrolment thereof, provided the same Deeds and Wills shall be inrolled on or before the First Day of January, One thousand seven hundred and fifty four, in such Manner as by the said Clause in the said first-mentioned Act is directed.

Further Time given for inrolling Deeds and Wills of Papists till 1 *Jan.* 1754.

Provided always, That nothing herein contained shall extend, or be construed to extend, to make good any such Deed, Will, or Lease, already made, and not inrolled, of the want of Inrolment whereof Advantage shall have been taken, on or before the Eleventh Day of January, One thousand seven hundred and fifty three, but every such Deed, Will, or Lease, shall remain of such Force and Effect only as the same would have had, if this Act had never been made, and of none other Force and Effect.

No Deed, Will, or Lease, made good hereby, whereof Advantage has been taken of the Non-inrolment thereof before 11 *Jan.* 1753.

And whereas many Purchases made by Protestants may be in Danger of being impeached, or called in Question, in regard that some Deeds or Wills through which the Title thereto is derived, ought to have been inrolled according to the said Acts, but have not been so inrolled; be it therefore further enacted by the Authority aforesaid, That no Purchase made for full and valuable Consideration of any Manors, Messuages,

Purchases made by Protestants shall stand good, if no Advantage has been taken for Non-inrolment.

Lands, Tenements, or Hereditaments, or of any Interest therein, by any Protestant or Protestants, and meerly and only for the Benefit of the Protestants, shall be impeached or avoided, for or by reason that any Deed or Will through which the Title thereto is derived, hath not been inrolled as required by the said Acts, so as no Advantage was taken of Inrolment thereof before such Purchase was made, and so as no Decree or Judgement hath been obtained for Want of the Inrolment of such Deeds or Wills.

No Grant, Lease, or Mortgage of the Advowson, or Right of Presentation to a Living, &c. made by any Papist in Trust, &c. to be hereby deemed good.

Provided also, That nothing herein contained shall extend or be construed to extend to make good any Grant, Lease, or Mortgage of the Advowson or Right of Presentation, Collation, Nomination, or Donation, of and to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital, or Donative, or any Advoidance thereof made by any Papist or Person professing the Popish Religion, in Trust, directly or indirectly, mediately or immediately, by or for any such Papist or Person professing the Popish Religion, whether such Trust hath been declared by Writing or not.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

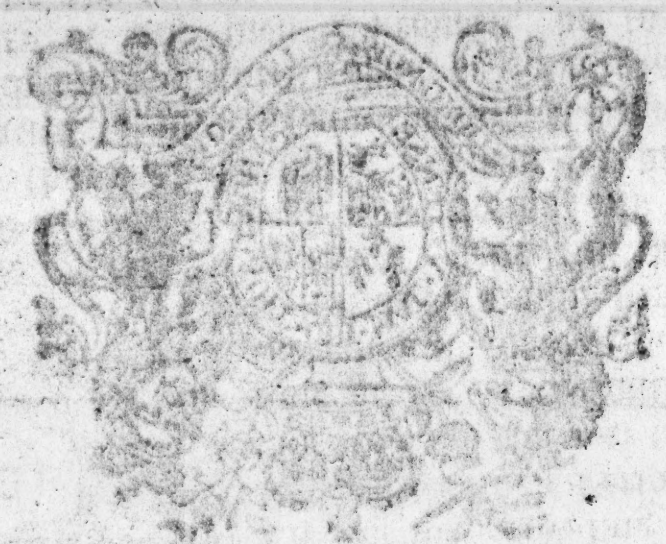
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



GEORGICA II.

Anno vicesimo sexto

Georgii II. Regis.

An Act to render more effectual an Act made in the Twelfth Year of the Reign of Her late Majesty Queen *Anne*, intituled, *An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea*, with regard to the making Experiments of Proposals made for discovering the Longitude; and to enlarge the Number of Commissioners for putting in Execution the said Act.

WHEREAS by an Act of Parliament made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, intituled, An Act for providing a publick Reward for such Person or Persons as shall discover the Longitude at Sea, the Commissioners therein and thereby named and constituted, or any Five or more of them, have full Power to hear and receive any Proposal or Proposals that shall be made to them for discovering the said Longitude; and in case the said Commissioners, or any Five or more of them, shall be so far satisfied of the Probability of any such Discovery, as to think it proper to make Experiment thereof, they shall certify the same, under their Hands and Seals, to the Commissioners of the Navy for the time being, together with the Persons Names who are Authors of such Proposals; and upon producing such Certificate, the said Commissioners are thereby authorized and required to make out a Bill or Bills for any such Sum or Sums of Money

Preamble, reciting Clauses in the Act 12 *Annæ*.

5

not exceeding Two thousand Pounds, as the said Commissioners for the Discovery of the said Longitude, or any Five or more of them, shall think necessary for making the Experiments, payable by the Treasurer of the Navy; which Sum or Sums the Treasurer of the Navy is by the said Act required to pay immediately to such Person or Persons as shall be appointed by the Commissioners for Discovery of the said Longitude to make those Experiments, out of any Money that shall be in his Hands unapplied for the Use of the Navy: And whereas for a due and sufficient Encouragement to any such Person or Persons as shall discover a proper Method for finding the said Longitude, it is likewise enacted by the said Act, That the First Author or Authors, Discoverer or Discoverers of any such Method, his or their Executors, Administrators, or Assigns, shall be intitled to and have such Reward, as in the said Act is particularly mentioned: And whereas by another Act of Parliament made in the Fourteenth Year of the Reign of his present Majesty, intituled, An Act for surveying the Chief Ports and Head Lands on the Coasts of *Great Britain* and *Ireland*, and the Islands and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude thereof; reciting in Part the said Act of Parliament, made in the Twelfth Year of the Reign of her said late Majesty Queen Anne; and also reciting that it was absolutely necessary for making the Discovery useful at Sea, and for the Security of Ships approaching near the Shoars, that the Chief Ports and Head Lands on the Coasts of Great Britain and Ireland, and the Islands and Plantations thereto belonging, should be first surveyed, and the Longitude and Latitude of such Places determined more exactly than had then been done, and likewise reciting that some Doubts had arisen, whether by the Words of the said Act of Parliament made in the Twelfth Year of Queen Anne, the said Sum of Two thousand Pounds appointed for making such Experiments, or any Part thereof, could be applied for such Survey, or fixing the Longitude or Latitude of such Places, it was enacted by the said Act made in the Fourteenth Year of the Reign of his present Majesty, That the said Commissioners for discovering the Longitude, or any Five or more of them, should have full Power to apply such Part of the said Sum of Two thousand Pounds, mentioned in the said first recited Act, as had not then been laid out in Experiments, as they should think necessary for the making such Survey, and determining the Longitude and Latitude of

and in Act 14 *Geo.* II.

the Chief Ports and Head Lands, on the Coasts of Great Britain and Ireland, and the Islands and Plantations thereto belonging; and that such Sum or Sums, Part of the said Two thousand Pounds, which the said Commissioners, or any Five or more of them, should think necessary, should be paid immediately by the Treasurer of the Navy, to such Person or Persons as should be appointed by the said Commissioners for the Discovery of the Longitude, to make such Survey, and determine such Longitude and Latitude, out of the Money that should be in the Hands of such Treasurer unapplied for the Use of the Navy: And whereas a Competent Number of the said Commissioners for the Discovery of the said Longitude, have (by virtue of the Powers vested in them, by the said Act made in the Twelfth year of the Reign of Queen Anne) heard and received several Proposals made to them at different Times, for discovering the said Longitude, and were so far satisfied of the Probabilities of such Discoveries, that they thought it proper to make Experiments thereof, and accordingly certified the same, from time to time, to the Commissioners of the Navy for the time being, together with the Name of Master John Harrison, who was Author of the said Proposals; whereupon Bills were made out for several Sums of Money, amounting in the Whole to One thousand two hundred and fifty Pounds, all which respective Sums were paid to the said John Harrison by the Treasurer of the Navy, pursuant to the Directions of the said last-mentioned Act of Parliament as Parts of the said Two thousand Pounds therein mentioned; which the said Commissioners for discovering the said Longitude thought necessary for making the said Experiments: And whereas a like competent Number of the said Commissioners for the Discovery of the said Longitude did (by virtue and in pursuance of the Powers vested in them by the said several above mentioned Acts of Parliament) appoint Master William Whiston to survey and determine the Longitude and Latitude of the Chief Ports and Head Lands on the Coasts of Great Britain and Ireland, and the Islands and Plantations thereto belonging; and did also apply the further Sum of Five hundred Pounds (other Part of the said Sum of Two thousand Pounds mentioned in the said Act made in the Twelfth year of the Reign of Queen Anne) which they thought necessary for the making such Survey, and determining the said last-mentioned Longitude and Latitude, and which said Sum of Five hundred Pounds was paid to the said William Whiston accordingly by the Treasurer of the Navy: And whereas by reason of the several Payments

made by the Treasurer of the Navy to the said John Harrison and William Whiston respectively, as aforesaid, amounting in the Whole to One thousand seven hundred and fifty Pounds, the said Commissioners for discovering the said Longitude have at present, by virtue of the said Acts of Parliament, Power only to apply the Sum of Two hundred and fifty Pounds and no more (being the Remainder of the said Two thousand Pounds) towards making any further Experiments which they may think proper and necessary to be made, in order to discover the said Longitude: And whereas from the Experiments which have already been made in pursuance of the Powers vested in the said Commissioners as aforesaid, there is great Reason to expect, that by continuing to encourage ingenious Persons to invent and make further Improvements and Experiments, in order to discover the said Longitude, such Discoveries may at length be produced as will effectually answer that End, and thereby contribute very much to the Advantage of the Trade and Honour of this Kingdom: Therefore for enabling the said Commissioners to cause such further Experiments to be made as they shall think proper for the Purposes aforesaid; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Commissioners constituted by the said Act of Parliament made in the Twelfth Year of the Reign of the late Queen Anne, for the Discovery of the Longitude at Sea, and for examining, trying, and judging of all Proposals, Experiments, and Improvements, relating to the same, or any Five or more of them, have full Power to hear and receive any Proposal or Proposals that have been or shall hereafter be made to them for discovering the said Longitude at Sea; and in case the said Commissioners, or any Five or more of them, shall be so far satisfied of the Probability of any such Proposal or Discovery, as to think it proper to make Experiment thereof, they shall certify the same under their Hands and Seals to the Commissioners of the Navy for the time being, together with the Persons Names who shall be the Authors of such Proposals; and upon producing such Certificate, the said Commissioners of the Navy are hereby authorized and required to make out a Bill or Bills for any such Sum or Sums of Money, not exceeding Two thousand Pounds, over and above the aforesaid Sum of Two hundred and fifty Pounds, being the Remainder of the Two thousand Pounds mentioned in the said Act

The Commissioners constituted by the Act of 12 *Annæ*, impowered to receive Proposals for discovering the Longitude,

and where they think proper to make Experiments, they are to certify the same, and the Author's Name, to the Commissioners of the Navy,

who are to make out a Bill for such a limited Sum as shall be thought necessary,

made

made in the Twelfth Year of the Reign of the late Queen Anne, as the said Commissioners for the Discovery of the said Longitude, or any Five or more of them, shall think necessary for making any Experiments in pursuance of this Act, or either of the said former Acts above-mentioned, payable by the Treasurer of the Navy; which Sum or Sums the Treasurer of the Navy for the time being is hereby required to pay immediately to such Person or Persons as shall be appointed by the Commissioners for the Discovery of the said Longitude to make those Experiments, out of any Money, that shall be in his the said Treasurer's Hands unapplied for the Use of the Navy.

to be paid to the Person making the Experiment.

And whereas many of the Commissioners appointed by the said Act made in the Twelfth Year of the Reign of her late Majesty Queen Anne, are deceased; be it therefore enacted by the Authority aforesaid, That the Governor of the Royal Hospital for Seamen at Greenwich for the time being, the Judge of the High Court of Admiralty for the time being, the Secretaries of the Treasury for the time being, the Secretary of the Admiralty for the time being, and the Comptroller of the Navy for the time being, shall be, and they are hereby added to, and joined with, such of the Commissioners appointed by the said Act for discovering the Longitude, as are surviving; and the said Persons hereby appointed Commissioners, shall and may act, to all Intents and Purposes, for putting in Execution the said former Acts and this present Act, as fully and effectually, as if they had been appointed Commissioners by the said Act made in the Twelfth Year of the Reign of her late Majesty Queen Anne.

Additional Commissioners to those appointed by the Act of 12 *Annæ*.

FINIS.

Anno Regni
GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

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LONDON:
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GEORGII II.

ANNO REGNI

GEORGII II.

Anno vicesimo sexto

Georgii II. Regis.

An Act to permit Persons professing the *Jewish* Religion, to be naturalized by Parliament; and for other Purposes therein mentioned.

WHEREAS by an Act made in the Seventh year of the Reign of King James the First, intituled, An Act that all such as are to be naturalized or restored in Blood, shall first receive the Sacrament of the Lord's Supper, and the Oath of Allegiance, and the Oath of Supremacy: Every Person who shall apply to be naturalized by Act of Parliament, being of the Age of Eighteen Years or upwards, is required

Preamble, reciting Clauses in the Act 7 *Jac.* I.

required to receive the Sacrament of the Lord's Supper, within One Month before the Bill for such Naturalization be exhibited, whereby many Persons of considerable Substance professing the Jewish Religion, are prevented from being naturalized by Bill to be exhibited in Parliament for that Purpose; And whereas by an Act made in the Thirteenth Year of his
& 13 *Geo.* II. present Majesty's Reign, intituled, An Act for naturalizing such Foreign Protestants, and others therein mentioned, as are settled, or shall settle in any of His Majesty's Colonies in *America*, Persons professing the Jewish Religion, who have inhabited and resided, or shall inhabit and reside for the Space of Seven Years or more, in any of His Majesty's Colonies in America, and shall not have been absent out of some of the said Colonies, for a longer Space than Two Months at any One Time during the said Seven Years, are naturalized upon their complying with the Terms therein mentioned, without their receiving the Sacrament of the Lord's Supper; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Persons professing the Jewish Religion may, upon Application for that Purpose, be naturalized by Parliament, without receiving the Sacrament of the Lord's Supper, the said Act of the Seventh Year of the Reign of King James the First, or any other Law, Statute, Matter, or Thing to the contrary in any wise notwithstanding.

Jews, upon Application to Parliament, may be naturalized, without taking the Sacrament.

Provided always, and it is hereby further enacted by the Authority aforesaid, That no Person shall hereafter be naturalized in pursuance of this Act, unless in the Bill to be exhibited for that Purpose, there be a Clause inserted, declaring that such Person shall be subject and liable to the Disabilities expressed in the Act made in the First year of the Reign of his late Majesty King George the First, intituled, An Act to explain an Act made in the Twelfth Year of the Reign

Clause to be inserted in every Bill, subjecting the Person to the Disabilities expressed in the

A& 1 *Geo.* I.

of King *William* the Third, intituled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject; and no such Bill of Naturalization shall hereafter be received in either House of Parliament, unless such Clause be first inserted or contained therein.

No Person to be naturalized, who has not resided in *Great Britain* or *Ireland* for 3 Years, without being absent more than 3 Months at One Time, during that Space;

Provided also, and it is hereby further enacted by the Authority aforesaid, That no Person shall be naturalized by virtue of any Act to be made or passed, in pursuance of this Act, who shall not, for the Space of Three Years or upwards before the Time of the exhibiting the Bill for that Purpose, have inhabited and resided in His Majesty's Dominions of Great Britain or Ireland, without being absent out of the same for a longer Space than Three Months at any One Time during the said Three Years; of the Truth whereof Proof shall be made in such of the Two Houses of Parliament in which the said Bill shall be exhibited, by Two credible Witnesses.

and who shall not bring Proof of his having professed the *Jewish* Religion for 3 Years before.

Provided also, and it is hereby further enacted, That no Person shall be naturalized by virtue of any Act to be made or passed in pursuance of this Act, unless Proof shall be made by Two credible Witnesses, that such Person professeth the Jewish Religion, and hath for Three Years past professed the same; the Proof in both Cases before mentioned to be made in such Manner as is now practised in both Houses of Parliament respectively, when Proof is made that any Person hath received the Holy Sacrament, in order to Naturalization.

Jews disabled from purchasing, or inheriting, any Advowson, or Right of Patronage, &c. to any Benefice or Ecclesiastical Promotion, School, Hospital, or Donative, &c.

And it is hereby further enacted by the Authority aforesaid, That from and after the First Day of June, One thousand seven hundred and fifty three, every Person professing the Jewish Religion shall be disabled, and is hereby made incapable to purchase, either in his or her own Name, or in the Name of any other Person or Persons, to his or her Use, or in Trust for him or her, or to inherit or take by Descent, Devise, or Limitation, in Possession, Reversion, or Remainder, any Advowson or Right of Patronage, or

Presentation, or other Right or Interest whatsoever of, in, or to any Benefice, Prebend, or other Ecclesiastical Living or Promotion, School, Hospital, or Donative whatsoever, or any Grant of any Avoidance thereof; and all and singular Estates, Terms, and other Interests whatsoever, of, in, or to any Benefice, Prebend, or other Ecclesiastical Living or Promotion, School, Hospital, or Donative, which, from and after the said First Day of June, shall be made, suffered, or done, to or for the Use or Behoof of any such Person or Persons, or upon any Trust or Confidence, mediately or immediately, to or for the Benefit or Behoof of any such Person or Persons, shall be utterly void and of none Effect, to all Intents, Constructions, and Purposes whatsoever.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

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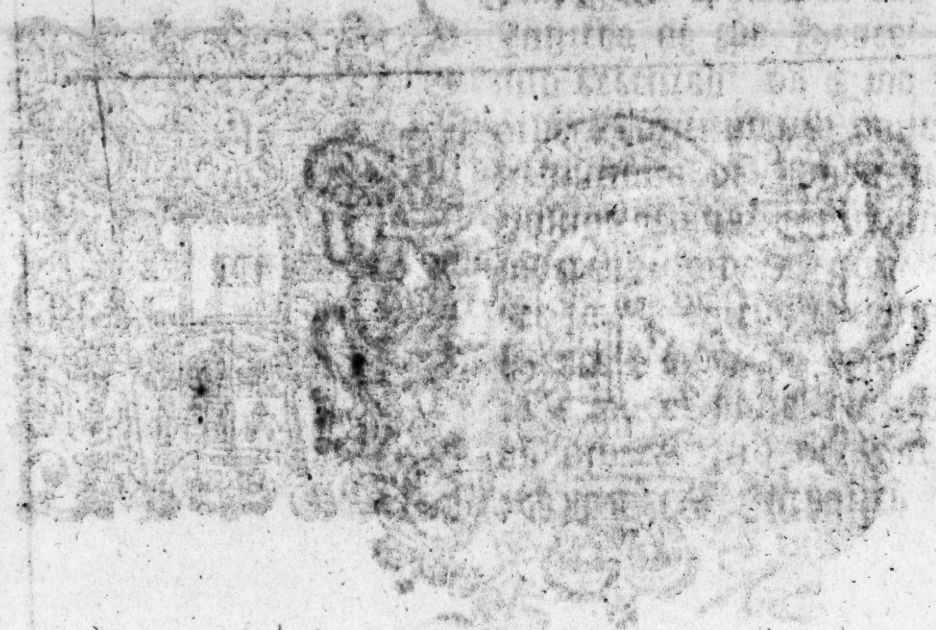

GEORGE II

Anno vicesimo sexto

Georgii II. Regis.

An Act to confirm certain Acts and Orders made by Justices of the Peace being of the Quorum, notwithstanding any Defect in not expressing therein, that such Justices of the Peace are of the Quorum.

WHEREAS Authority is given by divers Acts of Parliament, to Two or more Justices of the Peace, whereof One or more are to be of the Quorum: And whereas divers Acts, Orders, Adjudications, Warrants, Confirmations of Indentures, and other Instruments done, made, and executed, by Two or more Justices of the Peace, without expressing that they are, or that One of them is, of the Quorum, have been, and may be, for that reason only impeached, set aside, and vacated; Preamble.

be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June, in the year One thousand seven hundred and fifty three, no Act, Order, Adjudication, Warrant, Indenture of Apprenticeship, or other Instrument, already made, done, or executed, or hereafter to be made, done, or executed, by Two or more Justices of the Peace, which doth not express that One or more of the Justices is or are of the Quorum, shall be impeached, set aside, or vacated, for that Defect only; any Law, Statute, or Usage, to the contrary notwithstanding.

No Act or Order of Two or more Justices, to be vacated for Defect only, in not expressing that One or more of such Justices are of the Quorum.

FINIS.

Anno Regni GEORGII II. REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

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Anno vicesimo sexto

Georgii II. Regis.

An Act for the preventing of the Inconveniencies and Dangers that may arise from the present Methods of digging Gravel, Sand, Stone, Chalk, and other Materials, on the several Commons and Waste Grounds within this Kingdom, for the Repair of the Highways, and for other Purposes.

WHEREAS it is become a common Practice to get Materials out of Commons, Heaths, and Waste Grounds, for the Repairs of the Highways of this Kingdom, and for other Purposes, and to leave the Pits and Holes thereby occasioned, open and dangerous: For Remedy whereof; May it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty three, if any Person or Persons shall by reason of getting any Gravel, Sand, Stones, or Chalk, or other Materials, for repairing any Highway, or for any other Purpose whatsoever, make or cause to be made any Pit or Hole in any Common, Heath, or Waste Ground, such Person or Persons shall forthwith cause the same to be sufficiently fenced off, during such Time as the said Pit or Hole shall be continued open; and shall within Fourteen Days after digging for such Materials in such Pit or Hole, cause the same to be filled up, sloped down, or fenced off, and so continued;

Preamble.

Gravel Pits, &c. to be fenced during the Time the same shall be kept open;

and within 14 Days after to be filled up, sloped down, or fenced off;

and on Neglect thereof, Justice to make Order concerning the same,

tinued; and in case such Person or Persons shall not fill up, slope down, or fence off the same, within the said Time, and keep the said Fence, from time to time, in good Repair, it shall and may be lawful for any One or more Justice or Justices of the Peace, upon his or their View, or upon the Information of any One or more Witness or Witnesses, to order the Person or Persons making or causing to be made, such Pit or Hole, to fill up, properly slope down, or fence off the same; and in Cases where any Fence shall be set up, to order the same to be repaired, from time to time, as Occasion shall require;

and on Refusal to comply therewith, the Party to forfeit, not more than 10 *l.* nor less than 40 *s.*

and in case such Person or Persons shall refuse or neglect to comply with such Order, within Ten Days after the Receipt thereof, or the same being left at his or their usual Place or Places of Abode, and due Proof being made upon Oath, before any One or more Justice or Justices of the Peace, of the Offence committed, of the Service of such Order, and of the Refusal or Neglect to comply therewith, which Oath the said Justice or Justices is and are hereby impowered to administer, such Person or Persons shall forfeit and pay any Sum not exceeding Ten Pounds, nor less than Forty Shillings, to be laid out and

to be applied in filling up the Pits, &c. and Repair of the Roads;

applied in the filling up, sloping down, or fencing off, such Hole or Pit, and towards the Repair of the Roads in the Parish or Place where the Offence shall be committed, and in such Manner as the said Justice or Justices shall direct and appoint; which Forfeiture, in case the

and to be levied by Distress and Sale.

same be not forthwith paid, shall be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices of the Peace, rendering the Overplus (if any be) to the Person or Persons whose Goods and Chattles shall be so distrained and sold, the Charges of such Distress and Sale being first deducted.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

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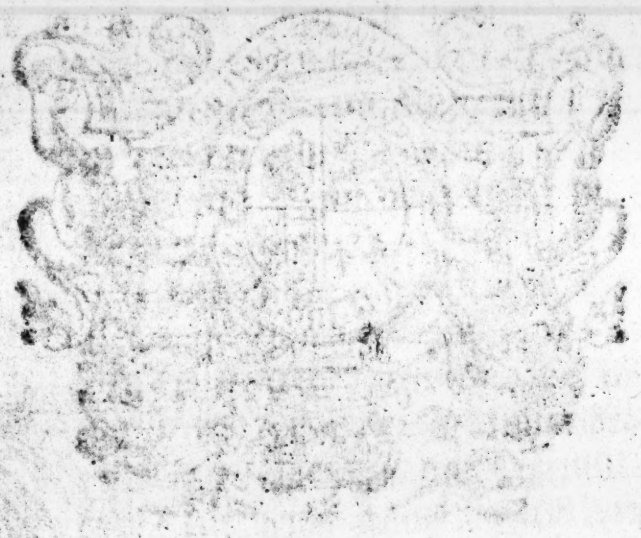

Anno vicesimo sexto

Georgii II. Regis.

An Act to explain, amend, and continue the Provisions made by Two Acts of Parliament of the Nineteenth and Twenty first Years of His Majesty's Reign, for the more effectual disarming the Highlands in *Scotland*, and to make Provision for the more speedy ascertaining the lawful Debts or Claims upon the Lands and Hereditaments, that some Time belonged to *Alexander Robertson* of *Strowan*, which, with other forfeited Estates, are by an Act of the Twenty fifth Year of His Majesty's Reign annexed to the Crown unalienable.

WHEREAS by an Act made in the First year of the Reign of his late Majesty King George the First, of glorious Memory, intituled, An Act for the more effectual securing the Peace in the Highlands of *Scotland*, it was enacted, That the Inhabitants within the Bounds and Shires therein mentioned should be disarmed, from and after the First Day of November, which was in the year of our Lord One thousand seven hundred and sixteen: And whereas by an Act made in the Nineteenth year of his present Majesty's Reign, intituled, An Act for the more effectual disarming the Highlands in *Scotland*; and for more effectually securing the Peace of the said Highlands; and for restraining the Use of the Highland Dress; and for further indemnifying such Persons as have acted in Defence of His Majesty's Person and Government, during

Preamble, reciting Clauses in the Act 1 *Geo.* I.

and in Act 19 *Geo.* II.

during the Unnatural Rebellion; and for indemnifying the Judges and other Officers of the Court of Juſticiary in *Scotland*, for not performing the Northern Circuit in *May*, One thouſand ſeven hundred and forty ſix; and for obliging the Maſters and Teachers of Private Schools in *Scotland*, and Chaplains, Tutors, and Governors of Children or Youth to take the Oaths to His Majeſty, His Heirs, or Succeſſors, and to regiſter the ſame; further Proviſions were made for the more effectual diſarming the Highlands in Scotland, or the Inhabitants of the ſaid Bounds and Shires, which Proviſions were to continue in Force for Seven Years, from and after the Firſt Day of Auguſt, One thouſand ſeven hundred and forty ſix, and from thence to the End of the next Seſſion of Parliament and no longer: And whereas by an Act made in the Twenty firſt Year of His preſent Majeſty's Reign, intituled, An Act to amend and enforce ſo much of an Act made in the Nineteenth Year of His Majeſty's Reign, as relates to the more effectual diſarming the Highlands in *Scotland*, and reſtraining the Uſe of the Highland Dreſs; and to Maſters and Teachers of private Schools and Chaplains; and to explain a Clauſe in another Act made in the ſame Year relating to Letters of Orders of Epiſcopal Miniſters in *Scotland*; and to oblige Perſons allowed to carry Arms, and the Directors of the Bank there, and certain Perſons belonging to, or practiſing in the Courts of Seſſion and Juſticiary, to take the Oaths; and to repeal ſome Clauſes in an Act made in the Firſt Year of the Reign of His late Majeſty King *George* the Firſt, whereby certain Encouragements are given to Landlords and Tenants in *Scotland*, who ſhould continue in their Duty and Loyalty to His ſaid late Majeſty; and for other Purpoſes therein mentioned; further Proviſions were made to amend and enforce ſo much of the Act made in the Nineteenth Year of His Majeſty's Reign, as relates to the more effectual diſarming the Highlands in Scotland, or the ſaid Bounds and Shires: And whereas it may be neceſſary or expedient for the Publick Welfare, that the Proviſions made by the Acts of the Nineteenth and Twenty firſt of His Majeſty's Reign ſhould be continued; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Acts of the Nineteenth and Twenty firſt of His Majeſty's Reign, as relates to the more effectual diſarming the Highlands in Scotland, ſhall be further continued and remain in full Force for the Term of Seven Years, from and after the Firſt Day of Auguſt, One thouſand ſeven hundred

and Act 21 *Geo.* II.

* So much of the recited Acts of 19 & 21 *Geo.* II. as relates to the more effectual diſarming the Highlands in *Scotland*, further continued for 7 Years.

hundred and fifty three, and from thence to the End of the then next Seſſion of Parliament.

And whereas a Doubt hath been entertained with reſpect to certain Bounds within the Shire of Stirling, that were intended to be diſarmed by all or any of the ſaid recited Acts; be it therefore enacted by the Authority aforeſaid, That from and after the Twenty fourth Day of June, One thouſand ſeven hundred and fifty three, all and every the Parts or Places of the Shire of Stirling, lying or being on the North or North-weſt Side of an imaginary ſtraight line from the Place called Ballamachall upon Lock Loman, in the Pariſh of Buchanan, to the Kirk or Bridge of Aberfoyl upon the River of Forth, ſhall be ſubject to all and every the Proviſions made by the ſaid recited Acts of the Firſt of His late Majeſty, and of the Nineteenth and Twenty firſt of His preſent Majeſty, and by this preſent Act, in the ſame Manner as if the Boundary herein deſcribed had been mentioned or inſerted in the ſaid ſeveral former Acts relating to the diſarming the Highlands in Scotland.

Shire of *Stirling* ſubject to the Proviſions of the Acts of 1 *Geo.* I. and of 19 and 21 *Geo.* II and this Act, for diſarming the Highlands.

And whereas by an Act made in the Twenty fifth Year of His preſent Majeſty's Reign, (intituled, An Act for annexing certain forfeited Eſtates in *Scotland* to the Crown unalienably, and for making Satisfaction to the lawful Creditors thereupon, and to eſtabliſh a Method of managing the ſame, and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of *Scotland*, and preventing Diſorders there for the future) it is among other Things enacted, That the Barony of Strowan, and other the Lands, Tenements, and Hereditaments which formerly belonged to Alexander Robertſon of Strowan, and became forfeited to the Crown by Decree or Sentence of Forfeiture paſſed in the Parliament of Scotland in the Year One thouſand ſix hundred and ninety, be and the ſame are thereby annexed to the Imperial Crown of this Realm, and declared to be and remain for ever unalienable from the ſame, and that the lawful Debts thereon ſhall be paid in the ſame Manner as is provided concerning the Lands and Premiſes in the ſaid Act mentioned: And whereas by an Act made in the Twentieth Year of His preſent Majeſty's Reign, intituled, An Act for veſting in His Majeſty the Eſtates of certain Traitors, and for more effectually diſcovering the ſame, and applying the Produce thereof to the Uſe of His Majeſty, and for aſcertaining and ſatisfying the lawful Debts and Claims thereupon; ſundry Proviſions are made for the more effectual and ſpeedy aſcertaining the lawful Debts and Claims upon the forfeited Eſtates which are thereby veſted

Clauſe in Act 25 *Geo.* II.

and 20 *Geo.* II.

ed in his Majesty, of which the said Barony of Strowan and other Lands and Hereditaments which formerly belonged to Alexander Robertson of Strowan are no Part: And whereas it is necessary or expedient to make some further Provision for the more speedy and effectual ascertaining the lawful Debts and Claims upon the said Barony of Strowan and other Hereditaments which formerly belonged to Alexander Robertson of Strowan; be it therefore enacted by the Authority aforesaid, That all and every Person or Persons whatsoever, Bodies Politick and Corporate, having any lawful Claim to, upon, or out of the said Barony or other Estates of Strowan before-mentioned, shall on or before the first Day of December next to come, enter, and present before the Court of Session in Scotland, his, her, or their Claims or Demands; or in Default thereof, every such Debt, Claim, or Demand, shall be and is hereby declared to be null and void to all Intents and Purposes whatsoever: And all such Claims and Demands shall be made and entered, tried and determined, in the Manner and according to the Rules and Provisions made in the said Act of the Twentieth Year of his Majesty's Reign, concerning the Debts and Claims upon the Estates thereby vested in his Majesty, as if the said Directions, Rules, and Provisions, had been herein at length repeated; any Law, Statute, or Usage, to the contrary in any wise notwithstanding.

Claims upon the Barony, or other Estates of *Strowan* to be entered in the Court of Session, on or before 1 *Dec.* next, and in Default thereof the same to be void.

F I N I S.

Anno Regni
GEORGII II.
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

Anno Regni

GEORGII III.

REGIS

At the Parliament begun and holden at Westminster,
the Tenth Day of November, Anno Dom. 1762,
in the Twenty fifth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the Eleventh Day of January, 1763, being the first Session of this present Parliament.

LONDON:

Printed by [illegible] Printer to the King's most Excellent Majesty; and by the Assigns of Robert Baskett. 1763.

Anno vicesimo sexto

Georgii II. Regis.

An Act for the Amendment and Preservation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto.

WHEREAS by the great Number of Waggons and other Wheel Carriages passing, travelling, and used in and upon the publick Highways and Turnpike Roads of this Kingdom, and the excessive Weights and Burthens loaded and carried in and upon the same, and the small Breadth and narrow Dimensions of the Fellies of the Wheels of such Waggons and other Carriages respectively, great Part of the said Highways and Roads are become ruinous, and almost impassable, and unless a speedy Remedy be had in the Premisses, all the Provisions made by Law for amending the Highways and Roads, and for maintaining and keeping the same in Repair, will in great Measure be rendered ineffectual, and the Trade and Commerce of this Kingdom be thereby greatly prejudiced and obstructed: Wherefore for remedying and preventing the said Mischiefs and Inconveniencies for the future; be it enacted by the King's most Excellent Ma- Preamble.

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jesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty ninth Day of September, One thousand seven hundred and fifty four, it shall not be lawful for any Waggon, Wain, Cart, or Wheel Carriage, whatsoever (other than and except as herein after mentioned) to travel, pass, or be drawn upon any Turnpike Road, unless the Fellies of the Wheels of every such Waggon, Wain, Cart, or Wheel Carriage, respectively, be of the Breadth or Gage of Nine Inches from Side to Side, at the least; And every Owner or Owners of such Waggon, Wain, Cart, or Wheel Carriage, driven, drawn, or conveyed in or upon any Turnpike Road, contrary to the Directions, Tenor, and true Meaning of this Act, shall for every such Offence forfeit and pay the Sum of Five Pounds, to be recovered and applied in such Manner as herein after-mentioned; or otherwise shall forfeit and lose any One of the Horses or Beasts of Draught drawing such Waggon, Cart, or Wheel Carriage, not being the Shaft or Thill-horse, together with all Geers, Bridles, Halters, and Accoutrements to such Horse or Beast of Draught respectively belonging, to the sole Use and Benefit of the Person or Persons who shall seize or distrain the same.

After 29 *Sept.* 1754, the Fellies of the Wheels of Waggons travelling on Turnpike Roads to be 9 Inches broad,

under Penalty of 5*l.* or Forfeiture of One of the Horses, &c.

And it is hereby enacted and declared, That the Person or Persons making such Seizure or Distress as aforesaid, shall deliver the Horse, Beast, and Things so seized and distrained, into the Custody of the Constable, or some other Parish Officer, of any Town, Parish, or Place, in or near the Place where such Seizure or Distress shall be made; and every such Constable or Parish Officer respectively is and are hereby required to take and receive the same into his and their Custody, and safely keep the same, till the Person or Persons making such Seizure or Distress, shall make Proof, upon Oath, before some Justice or Justices of the Peace, of the Offence committed; and the said Justice or Justices, before whom such Proof shall be made, is and are hereby required to issue his or their Precept to such Constable or Parish Officer immediately, to deliver the Horse, Beast, and other Things so forfeited, to the Party or Parties who seized or distrained the same, to and for his and their own Use and Benefit, paying such reasonable Charges for keeping and securing the same, as such Justice or Justices shall allow or direct; but in case no such Proof shall be made within Three Days next after such Seizure or Distress, that then such Horse, Beast, or other Thing seized or distrained, shall be returned back to

The Distress to be delivered to the Constable,

who is to take Charge thereof, till Proof be made of the Offence;

and the Justice to issue his Precept for the Delivery thereof.

If Proof be not made within 3 Days, the Distress to be returned to the Owner.

the Owner or Owners thereof, such Owner or Owners paying reasonable Charges for keeping and securing the same.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to any Chaise Marine, or to any Coach, Landau, Berlin, Chaise, or Calash; nor shall any Thing extend, or be construed to extend, to any Waggon drawn by less than Five Horses or Beasts of Draught; or to any Wain, Cart, or other Two Wheel Carriages, drawn by less than Four Horses or Beasts of Draught; or to any Waggon, Wain, Cart, or other Wheel Carriage, drawn by Oxen or Neat Cattle only. Carriages which are exempted.

Provided always, and it is hereby enacted and declared, That from and immediately after the passing this Act, it shall and may be lawful to and for any Carriage loaden with or carrying One Tree or Piece of Timber, or One Stone or Block of Marble only, having the Fellies of the Wheels thereof of the Breadth or Gage of Nine Inches or upwards, to travel, pass, or be driven in or upon any Turnpike Road, with any Number of Horses or Beasts of Draught; and also for any Waggon, or other Four Wheel Carriage, having the Fellies of the Wheels thereof of such Breadth or Gage as aforesaid, to travel, pass, or be driven upon any Turnpike Road as aforesaid, with any Number of Horses or Beasts of Draught, not exceeding Eight; and for any Cart, or other Two Wheel Carriage, having the Fellies of the Wheels thereof of such Breadth or Gage as aforesaid, with any Number of Horses or Beasts of Draught, not exceeding Five, without being subject and liable to be weighed at any Crane, Machine, or Engine, or to the additional Toll of Twenty Shillings, granted and made payable for every Waggon or other Carriage, drawn by Six Horses, in and by an Act passed in the Twenty fourth year of the Reign of His present Majesty, intituled, An Act for the more effectual Preservation of the Turnpike Roads in that Part of *Great Britain* called *England*; and for the Disposition of Penalties given by Acts of Parliament, relating to the Highways in that Part of *Great Britain* called *England*; and for enforceing the Recovery thereof; and for the more effectual preventing Mischiefs occasioned by the Drivers riding upon Carts, Drays, Cars, and Waggons, in the City of *London*, and within Ten Miles thereof; notwithstanding any Thing contained in the said last-mentioned Act, or any other Law or Statute to the contrary. Immediately after passing this Act, Carriages laden with 1 Tree, or 1 Stone or Block of Marble, having the Fellies of the Wheels 9 Inches broad, may be drawn with any Number of Horses; and other Four Wheel Carriages, with any Number, not exceeding 8; and Carts with any Number not exceeding 5; without being liable to be weighed, or to the additional Toll of 20*s.* by Act 24 *Geo.* II.

Provided always, and it is hereby further declared and enacted, That it shall and may be lawful for any Wag-

or without being liable to forfeit any of the Horses, by Act 6 *Geo.* 1.

gon, Wain, Cart, or other Carriage, having the Fellies of the Wheels thereof of such Breadth or Gage as aforesaid, to travel, pass, or be driven upon any Turnpike Road, without being subject or liable to forfeit and lose any One of the Horses drawing the same, together with the Geers, Bridles, and Halters therewith used; any thing contained in an Act passed in the Sixth year of the Reign of His late Majesty King George, intituled, An Act for preventing the Carriage of excessive Loads of Meal, Malt, Bricks, and Coals, within Ten Miles of the Cities of *London* and *Westminster*; to the contrary thereof notwithstanding.

Immediately after passing this Act Waggons, &c. with broad Wheels may be drawn with any Number of Horses not exceeding 8,

and Carts, &c. with any Number not exceeding 5.

And, to encourage all Persons to use broad Wheels, in order to preserve all the Highways of this Kingdom in good Repair; be it further enacted, That from and immediately after the passing of this Act, it shall and may be lawful for any Waggon or other Four Wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gage of Nine Inches, or upwards, to travel, pass, or be driven on any Highway within Great Britain, with any Number of Horses or Beasts of Draught, not exceeding Eight; and for any Cart or other Two Wheel Carriage, having the like Wheels, with any Number of Horses or Beasts of Draught, not exceeding Five; without being subject to any Penalties or Forfeitures for causing the same to travel, pass, or be driven by a greater Number of Horses or Beasts of Draught than are now allowed by Law; any thing contained in any Statute to the contrary notwithstanding.

Trustees for the Roads, to lessen the extraordinary Tolls on Carriages with broad Wheels, drawn by more than a certain Number of Horses;

And whereas in and by several Acts of Parliament made and passed for amending and repairing particular Highways and Roads within this Kingdom, several high and extraordinary Tolls and Duties are granted and directed to be levied and paid for Waggons and other Wheel Carriages drawn by more than a certain Number of Horses or Beasts of Draught therein respectively mentioned, with an Intent in Effect to prohibit the Passage of such Carriages, and thereby the better to preserve the said Roads: Now, it is hereby further enacted, That it shall and may be lawful to and for the Trustees appointed or to be appointed in or by virtue of any Act of Parliament now in Force, or now depending in Parliament respectively, for repairing and amending such particular Highways or Roads as aforesaid, or any Nine or more of such Trustees respectively, within their respective Districts; and they are hereby authorized and required to mitigate, lessen, and reduce the said high and extraordinary Tolls and Duties for or in respect of such Waggons, or other Wheel Car-

riages only, having Wheels of the Breadth or Gage herein before prescribed, in such Manner as no greater Toll or Duty be demanded or taken for the same, than is provided and directed by the said Acts respectively to be paid and taken for Waggons and other Four Wheel Carriages drawn by Five or Four Horses or Beasts of Draught; and the said Trustees, within their several Districts, or any Nine or more of them respectively, are hereby authorized and required to give Directions in Writing to the several Collectors within such their respective Districts, to take and receive such Tolls or Duties and no other; any Law or Statute to the contrary notwithstanding.

and to give Directions for that Purpose in Writing to the Collectors.

And, for the facilitating and more speedy accomplishing and effecting the good Ends and Purposes intended by this present Act; it is hereby further enacted by the Authority aforesaid, That the several Trustees appointed by any Act or Acts of Parliament for the surveying, ordering, amending, and keeping in Repair the several Turnpike Roads of this Kingdom, or any Five or more of them respectively, shall and may, and they are hereby authorized and required to meet, from time to time, as there shall be Occasion, at some convenient Place within their respective Districts, some Time on or before the Twenty ninth Day of September, One thousand seven hundred and fifty four, and to cause Notice of such Meetings respectively to be affixed in Writing on the several Tollgates within their said several Districts at least Ten Days before such Meeting: And the said Trustees respectively, or any Five or more of them, at such their Meetings, are hereby authorized and required, by Writing under their Hands, to order and direct the Surveyor or Surveyors of the said Turnpike Roads respectively to cause all the Rutts and Wheel Tracks in the said Roads to be beat down, thrown in, and levelled; and the said Roads to be widened where it shall be necessary, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty four.

Trustees for the Turnpike Roads to meet in their several Districts.

and to order the Surveyors to cause all the Rutts, &c. to be beat down and levelled,

and the Roads to be widened where necessary, on or before 29 *Sept.* 1754.

And it is hereby enacted and declared, That the Charges and Expences of such Work so to be ordered and directed, shall be paid and defrayed out of the Tolls and Duties arising or to be raised by virtue or upon the Credit of the said several Acts made for repairing the said Roads respectively.

Charges thereof to be paid out of the Tolls.

And it is hereby further enacted, That the Surveyors of the Highways of the several Parishes, Townships, and Places, wherein any Highway or Road intervening between

Surveyors to cause the Ruts, &c. to be beat down in the Roads intervening between and communicating with Two different Turnpike Roads, on or before 29 *Sept.* 1754

between and communicating with Two different Turnpike Roads both respectively lie, do and shall, and they are hereby authorized and required to cause all the Ruts and Wheel Tracks in such intervening Roads respectively, to be beat down, thrown in, and levelled as aforesaid, on or before the said Twenty ninth Day of September, One thousand seven hundred and fifty four: And in case any Person or Persons liable to and chargeable with the Repairing the Highways within any of the said Parishes, Townships, or Places respectively, shall neglect or refuse to do and perform his and their Statute-work in and upon the same, at such Times and in such Manner as the said Surveyor or Surveyors respectively shall direct or appoint, or shall refuse to pay and contribute his or their Proportion of the Charges and Expences of the same, then, and in such Case, it shall and may be lawful to and for any Two or more Justices of the Peace of the County, Riding, Liberty, or Place, where such intervening Roads do lie, upon Complaint to them made upon Oath of such Neglect or Refusal, by Warrant under their Hands and Seals to authorize and impower the Surveyor or Surveyors of the Highways to raise and levy such Proportions of the Charges and Expences of the said Works of and from the Person and Persons so refusing, and to enforce the Payment thereof by such Ways and Means, and in such Manner, as the Rates and Assessments for repairing the Highways in this Kingdom are by Law to be raised, levied, and enforced.

Persons refusing to do their Statute-work thereon, to bear their Proportion of the Charge,

Justices to impower the Surveyors to levy the same.

The Trustees may order the Fellies of the Wheels of Waggons, &c. to be measured at any Turnpike;

And, for the better discovering and detecting the Offenders against this Act, it is hereby further enacted, That it shall and may be lawful to and for all Trustees appointed or to be appointed by any Act or Acts of Parliament made or to be made for the repairing or amending any Highway or Highways within this Kingdom, or any Two or more of them, and they are hereby authorized and required, by Writing under their Hands, to order the Fellies of the Wheels of all Waggons, Wains, Carts, or other Carriages, which are or ought to be of the Breadth or Gage herein before directed and prescribed, to be measured and gaged at any Turnpike or Toll-gate erected or to be erected upon any Part of the Highway or Road in or upon which such Waggon, Wain, Cart, or Carriage respectively shall travel, pass, or be drawn.

and where the same shall appear to have been originally 9 Inches broad,

Provided always, That in case it shall appear to the Satisfaction of the Surveyor or Surveyors, Gate-keeper or Gate-keepers of any Turnpike Road, that the Fellies of the Wheels of any Waggon or Wheel Carriage, travelling or passing upon any such Turnpike Road, were originally

originally and when first made of the Breadth of Nine Inches, and by long Usage and Wearing shall have been reduced to, and become of less Breadth or Gage; then, and in such Case, it shall and may be lawful for such Waggon or Wheel Carriage to travel, pass, or be drawn upon, any such Turnpike Road, so as the Fellies of all the Wheels thereof, respectively, be of the full Breadth of Eight Inches at least; and the Owner or Owners of such Waggon or Wheel Carriage shall not in such Case be subject or liable to the Penalties herein before inflicted and directed to be levied for driving or causing to be drawn, Waggons and Carriages, the Fellies of the Wheels whereof are under the Breadth or Gage of Nine Inches as aforesaid; any thing herein contained to the contrary notwithstanding.

and by Use reduced to not less than 8, they are exempted from the Penalty.

And it is hereby further enacted and declared, That if any Person or Persons shall hinder, or attempt to prevent or obstruct the measuring or gaging the Fellies of such Wheels, or the seizing or distraining of any Horse or Beast of Draught hereby directed to be forfeited, for the Offences herein before-mentioned, or shall use any Violence to any Person or Persons employed or concerned in such measuring, gaging, seizing, or distraining, as aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Ten Pounds.

Penalty of obstructing the measuring the Fellies, or making Distress.

And be it further enacted by the Authority aforesaid, That in case any Person or Persons shall, after the said Twenty ninth Day of September, drive, or act as the Driver or Drivers of any Waggon, Wain, Cart, or Carriage, not having Wheels thereto, according to the Direction and true Intent and Meaning of this Act, or drawn with more than the Number of Horses hereby respectively appointed (except as herein before is excepted) upon any Turnpike Road, that then and in every such Case, it shall and may be lawful to and for the Constable, Tythingman, or Surveyor of the Highways, or any other Inhabitant of the Parish or Place where the Offence shall be committed, and to and for the Surveyor or Surveyors of the said Turnpike Road, and to and for any Person or Persons to be appointed by the Trustees, or any Five or more of them, to apprehend and take, or cause to be apprehended and taken, such Person or Persons so driving, or acting as Driver or Drivers as aforesaid, before One or more Justice or Justices of the Peace for the County, Riding, or Division, where the said Offence shall be committed, and upon Conviction thereof, either by the Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, before such Justice or Justices

Where Waggons, &c. shall travel on Turnpike Roads with Wheels not of the Breadth hereby required, or with more Horses, the Driver to be carried before a Justice,

tices of the Peace (which Oath the said Justice or Justices are hereby impowered and required to administer) every such Person or Persons so offending shall respectively forfeit and pay for every such Offence the Sum of Five Pounds, to be laid out, applied, and recovered, in such Manner as other Penalties hereby imposed are hereby directed and appointed to be recovered and applied; and in case the Person or Persons so offending and convicted, shall have no Goods and Chattels, whereon immediate Distress may be had and made for the same, then it shall and may be lawful to and for such Justice or Justices of the Peace, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit the Offender or Offenders to the House of Correction, there to remain for the Space of One Month, or until he or they shall have paid the said Sum of Five Pounds.

and to forfeit on Conviction 5 *l.*

and for want of Distress to be committed.

And it is hereby further enacted by the Authority aforesaid, That if any Owner or Owners of any Waggon, Wain, or Cart, travelling for Hire, shall, from and after the said Twenty ninth Day of September, One thousand seven hundred and fifty four, drive, or cause to be driven, drawn, or conveyed, such Waggon, Wain, or Cart, in or upon any Turnpike Road, not having his and their Christian and Surnames, and Place of Abode, written or painted in large legible Letters upon the Tilt or other conspicuous Place of such Waggon, every Person so offending, shall, for every such Offence, be subject and liable to such and the same Penalties and Forfeitures, as the Owners of Waggons or Carriages, having the Felties of the Wheels thereof under the Breadth or Gage aforementioned, are made subject and liable by this Act; and if any Person or Persons shall so write or paint, or cause to be written or painted, any false or fictitious Name on such Waggon, Wain, or Cart, as aforesaid, every Owner of such Waggon, Wain, or Cart, publickly used on any Turnpike Road, as aforesaid, with such false or fictitious Name, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds.

Penalty after 29 *Sept.* 1754 on Owners of Waggons, &c. who shall not have their Names and Place of Abode in large Letters on the Tilt, &c.

or using a false or fictitious Name.

And be it further enacted, That the several Penalties and Forfeitures inflicted and directed to be forfeited and paid by this Act, and not hereby otherwise provided for, shall and may be recovered by any Person or Persons who shall sue, inform, and prosecute for the same, either by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, with Treble Costs of Suit; in which no Protection, Wager of Law, or more than One Imparlance shall be allowed;

Penalties may be recovered by Action of Debt, &c. in any of the Courts at *Westminster*, with Treble Costs;

or by a ſummary Way, or Proceeding before any Two or more Juſtices of the Peace for the County, Riding, or Place, where ſuch Offence ſhall be committed, at the Option of the Perſon or Perſons who ſhall proſecute for the ſame; and for which Purpoſe, it ſhall and may be lawful to and for ſuch Juſtices to hear and determine any of the Offences againſt this Act; and they are hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, within Ten Days after ſuch Offence committed, to ſummon the Party or Parties accuſed, and alſo the Witneſſes on either Side; and in caſe the Party accuſed ſhall not appear upon ſuch Summons, then, upon Oath made of the committing any of the Facts above-mentioned, by One or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party offending, within the Juriſdiction of ſuch Juſtices; and upon the Appearance, or Contempt of the Party accuſed in not appearing (upon the Proof of Notice given) to proceed to the Examination of the Witneſs or Witneſſes on Oath, and which ſuch Juſtices are hereby authorized, impowered, and required to adminiſter, to give Judgement or Sentence accordingly; and where the Party accuſed ſhall be convicted of ſuch Offence, either by the View of ſuch Juſtices, or any of them, or upon ſuch Information as aforeſaid, or on Confeſſion of the Party accuſed, to award and iſſue Warrants for the levying any pecuniary Penalties ſo adjudged, together with the Coſts of ſuch Proſecution, on the Goods of the Offender, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed within Five Days, rendering to the Party the Overplus (if any there be) and where Goods of ſuch Offenders cannot be found, to commit ſuch Offender to Priſon, there to remain for the Space of Three Months, or until ſuch pecuniary Penalty or Penalties ſhall be paid; and if any Perſon or Perſons ſhall find himſelf or themſelves aggrieved, or remain unſatisfied, in the Judgement of the ſaid Juſtices, it ſhall and may be lawful to and for ſuch Perſon and Perſons to appeal to the Juſtices of the Peace at the next Quarter Seſſions for the County, City, Liberty, or Place, where the Matter in Queſtion ſhall ariſe; and the ſaid Juſtices are hereby authorized and required to take Cognizance thereof, and to hear the Complaint or Complaints of the Perſon or Perſons ſo aggrieved; ſo as ſuch Perſon or Perſons ſo complaining, do give Notice in Writing of ſuch his, her, or their Intention to bring and proſecute any ſuch Appeal, unto the Perſon and Perſons complained of, at leaſt Fourteen Days before the Quarter Seſſions; and ſhall, within

or in a ſummary Way before Two or more Juſtices of the Peace.

Method to be obſerved by the Juſtices on Information or Complaint made of any of the ſaid Offences laid before them.

Perſons aggrieved may appeal to the General Quarter Seſſions.

Notice of Appeal to be given,

and Recognizance, with Sureties, to be entered into.

within Five Days after such Notice given, enter into a Recognizance with Two sufficient Sureties, before One or more Justice or Justices of the Peace of and for such County, Riding, Liberty, or Place, where such Appeal shall lie, to try such Appeal at the Quarter Sessions of the Peace to be held for such County, Riding, Liberty, or Place, next and immediately after such Notice given; and the said Justices, upon hearing the Matter of the said Complaint, or upon due Proof made to them of such Notice given by the Party or Parties complaining (although he or they shall not prosecute the said Appeal) shall and may, at their Discretions, mitigate the Penalties or Forfeitures incurred by the Party complaining, or vacate or set aside the Conviction or Convictions, or set the Party or Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs, as to them shall seem reasonable; and also by their Order or Warrant, to cause such Costs to be levied by Distress and Sale of the Goods of the Person so giving such Notice of Appeal as aforesaid; and for want of sufficient Distress to commit the Party or Parties to the Common Gaol of the County, Riding, Liberty, or Place, wherein such Appeal shall be heard and determined, for any Time not exceeding Two Months, or until Payment of such Costs shall be made; and if the Person ordered to pay such Costs shall happen to live in any County, Riding, Liberty, or Place, without the Jurisdiction of the said Court, it shall and may be lawful for any Justice of the Peace of the County, Riding, City, Liberty, or Place, wherein such Person shall inhabit, and every such Justice is hereby authorized and required upon Request to him for that Purpose made, and upon a true Copy of the Order for Payment of such Costs produced and proved by some credible Witness upon Oath, by Warrant under his Hand and Seal, to cause the Money mentioned in that Order to be levied by Distress and Sale of the Goods of the Person ordered to pay the same; and if no sufficient Distress can or may be had, to commit such Person to the Common Gaol of that County, Riding, City, or Liberty, for any Time not exceeding Two Months, or until Payment of such Costs as aforesaid.

Justices impowered to hear and determine such Appeal.

Person ordered to pay Costs living out of the Jurisdiction of the Court, Justice for the County, &c. may levy the same by Distress and Sale, &c.

Application of the Forfeitures.

And it is hereby further enacted and declared, That all the pecuniary Penalties and Forfeitures recovered and levied by virtue and in pursuance of this Act, shall be paid, applied, and disposed of in Manner following; that is to say, One Moiety thereof to the Person or Persons who shall inform and sue for the same; and the other Moiety thereof

thereof to the Trustees, for the repairing the Road where the said Offence shall be committed, or to such Person or Persons as they, or any Five or more of them, shall by Writing under their Hands order, direct, or appoint, in order that the same may be applied for and towards the repairing the said Road.

And whereas many wise Provisions have been made by several Acts of Parliament for punishing Offences committed upon the Turnpike Roads in this Kingdom, but the same have been so much neglected, that Offences against the said Laws are daily committed with Impunity for want of making it the Duty of proper Persons to take Care that Prosecutions are effectually carried on against Offenders: To the end therefore that Offenders against the said Laws should not go unpunished; be it enacted by the Authority aforesaid, That all the Laws made, or hereafter to be made, by any Act or Acts of Parliament, whereby Toll-gates or Turnpikes are or shall be enacted to be made and erected for collecting Tolls for Amendment of any Roads, and all other Laws relating thereto, shall from henceforth be put in due Execution; and for that Purpose the Trustees impowered to act under the Authority of the said several Acts respectively, or any Five or more of them, are hereby required, at the next and other publick Meetings, from time to time, to make proper Rules and Orders for the more effectual putting the said Laws in Execution, and to appoint such Person or Persons as they shall think fit effectually to carry on Prosecutions for Offences committed against this Act, or any of the said Laws, within their respective Limits and Districts; and to give strict Charge and Commands to their Surveyor or Surveyors to be diligent in visiting frequently the said Roads, and in taking due Care to see and inquire if any Offence or Offences are or have been committed upon the said Roads respectively, and by whom the same hath or have been committed: And all the Officers belonging to the said Turnpike Roads respectively are hereby required, as often as any Offence or Offences against any of the said Laws shall come to his or their Knowledge to have been committed upon the said Turnpike Roads within their respective Districts, to give immediate Notice thereof to some One of the Trustees of the said Roads, who shall forthwith procure a Meeting of the Trustees belonging to the said Roads, or any Five or more of them, who shall give immediate Directions for prosecuting such Offences.

Laws relating to Turnpike Roads to be put in due Execution,

and the Trustees to make Orders for that Purpose,

and to appoint Persons to carry on Prosecutions for Offences against this, or any of the said Laws.

Surveyors and other Officers to be diligent in their Duty.

and to give Notice of all Offences.

And be it enacted by the Authority aforesaid, That this Act shall be openly and publickly read in the Presence of

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the said Officers as often as there shall be a Meeting of the said Trustees, or any Five or more of them: And if any such Officer shall be found to have been negligent in his Duty required by this Act, or to have omitted giving Notice, as aforesaid, every such Officer shall be forthwith removed from his Office by the said Trustees respectively, or any Five or more of them, and is hereby for ever after rendered incapable of holding any Office whatsoever under the said Trust.

Officer found Negligent in his Duty, to be removed.

And it is hereby further enacted, That no Person or Persons who shall keep any Victualling-house, Ale-house, or other House of publick Entertainment, or who shall sell any Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors by Retail, shall be capable of taking, holding, or enjoying any Place or Places of Trust or Profit under the Trustees of any Act of Parliament made or to be made for erecting Turnpikes respectively, or of farming the Tolls thereby granted and made payable, during such Time as he shall keep such Victualling-house, Ale-house, or other House of publick Entertainment, or shall sell any Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors, by Retail.

Victuallers are disabled from holding any Place of Profit and Trust under the Tolls; or of farming the same.

And be it enacted by the Authority aforesaid, That in case any Action or Prosecution shall be commenced and prosecuted in pursuance of this Act, under the Authority and by the Direction of the said Trustees, or any Five of them, in every such Case the Trustees of such Turnpikes respectively, or any Five or more of them, shall out of the Profits arising by the Tolls of such Turnpike Road, allow and pay to the Prosecutor so much as the Costs allowed by Law shall fall short of reimbursing him his just and reasonable Expences.

When the Trustees prosecute, the Charges to be paid out of the Tolls.

Provided, That nothing in this Act shall be construed to oblige the said Trustees to commence or prosecute, or cause to be commenced or prosecuted, any Action or Proceeding for any such Offences, unless upon the Confession of the Offender, or that One or more Witness or Witnesses can be had and produced, to prove the Commission of such Offence.

Trustees not obliged to prosecute, unless upon Confession of the Offender, or One or more Witnesses be produced.

And it is hereby further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any thing done or acted in pursuance of this Act, then, and in every such Case, such Action or Suit shall be commenced or prosecuted within Six Calendar Months next after the Fact committed, and not afterwards; and the same, and every such Action or Suit shall be brought in the County, Riding, or Place, where the Person against whom such Action or Suit shall be

Limitation of Actions.

be commenced doth ordinarily inhabit and reside, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit, shall and may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance of, and by the Authority of this present Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time herein before limited for bringing the same, or be brought or laid in any other County or Place than as afore-mentioned, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for Recovery thereof, as any Defendant or Defendants hath or have in any other Cases by Law. General Issue. Treble Costs.

FINIS.

Anno Regni
GEORGII III.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

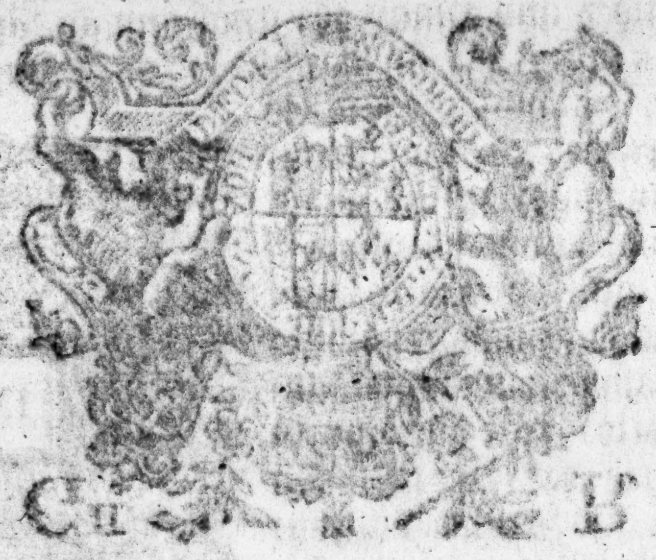
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



GEORGII III.

Anno vicesimo sexto

Georgii II. Regis.

An Act for regulating the Manner of Licensing Ale-houses in that Part of *Great Britain* called *England*; and for the more easy convicting Persons selling Ale, and other Liquors, without Licence.

WHEREAS the Laws concerning Ale-houses, Inns, and Victualling-houses, and the Licensing thereof, are defective and insufficient for correcting and suppressing the Abuses and Disorders frequently done and committed therein, and also for the Conviction and due Punishment of Persons taking upon themselves to sell Ale, Beer, or other Liquors, by Retail, without Licence; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon granting Licences by Justices of the Peace to any Person to keep an Ale-house, Inn, Victualling-house, or to sell Ale, Beer, and other Liquors, by Retail, every such Person shall enter into a Recognizance to the King's Majesty, His Heirs, and Successors, in the Sum

Preamble.

Justices, licensing Ale-houses, &c. to take Recognizance in the Sum of 10*l.* with Sureties in the like sum, for the Maintenance of good Order;

Sum of Ten Pounds, with Two sufficient Sureties, each in the Sum of Five Pounds, or One sufficient Surety, in the Sum of Ten Pounds, under the usual Condition, for Maintenance of good Order and Rule within the same; and in case the Person applying for such Licence shall be hindered through Sickness or Infirmity, or any other reasonable Cause, to be allowed by the said Justices of the Peace, to attend in Person at the Meetings of the same Justices for granting the said Licences; then that it shall and may be lawful for them to grant such Licence, upon Two sufficient Sureties entering into such Recognizance, each in the Penalty of Ten Pounds, for Performance of the Condition of the said Recognizance; which said Recognizance, with the Condition thereof, fairly written or printed, shall forthwith, or at the next General or Quarter Session of the Peace at farthest, after granting such Licences, be sent or returned to the Clerks of the Peace, or Persons acting as such, for every County, Riding, City, Liberty, or Town Corporate, in that Part of Great Britain called England, wherein such Licences shall be granted, under the Hands of the Justices of the Peace before whom such Recognizances were taken, to be by the said Clerks of the Peace, or such other Person acting as such, duly entered or filed amongst the Records of the Sessions of the Peace; and that for every such Licence granted without taking such Recognizance, and for every such Recognizance taken, and not sent or returned as aforesaid, every Justice of the Peace signing such Licence, shall forfeit the Sum of Three Pounds, Six Shillings, and Eight Pence.

and to send the Recognizances to the respective Clerks of the Peace, to be filed,

on Penalty of 3*l.* 6*s.* 8*d.* for Default in either Case.

And, for the better preventing Disorders in Ale-houses, be it further enacted, That no Licence to keep the same shall be granted to any Person not licensed the Year preceding, unless such Person produce at the General Meeting of the Justices in September, a Certificate under the Hands of the Parson, Vicar, or Curate, and the major Part of the Churchwardens and Overseers, or else of Three or Four reputable and substantial House-holders and Inhabitants of the Parish or Place where such Ale-house is to be, setting forth that such Person is of good Fame, and of sober Life and Conversation; and it shall be mentioned in such Licence that such Certificate was produced, otherwise such Licence shall be null and void.

Licences to be granted to none not licensed the Year preceding, unless such as shall produce Certificates of their good Fame.

Provided nevertheless, That if any licensed Person shall die or remove from an Ale-house, it shall be lawful for the Person succeeding to such House, to keep on the said Ale-house during the Residue of the Term of such Licence, on Condition that within Thirty Days after such Death or

Licensed Person dying or removing, the Successor, upon obtaining such a Certificate, may keep on the House for the Residue of the Term of the Licence, &c.

or Removal, such Person obtain such Certificate as aforesaid, to be signed by some neighbouring Justice in order to its being produced at the next General Meeting in September; and if such Certificate be not so obtained and signed within the said Thirty Days, then immediately from and after the Expiration thereof, such Licence shall be null and void; and no Licence shall intitle any Person to keep an Ale-house in any other Place, than that in which it was first kept by virtue of such Licence, and such Licence, with Regard to all other Places, shall be null and void.

Licence not to intitle a Person to keep an Ale-house in any other Place, than in which it was first kept by virtue of such Licence.

Whereas by an Act made in the Second Year of his present Majesty's Reign, intituled, An Act to revive the Laws therein mentioned; amongst other Things it was enacted, That no Licence shall be granted to any Person to keep a Common Inn or Ale-house, or to retail any Brandy or Strong Waters, but at a General Meeting of the Justices of the Peace acting in the Division where the said Person dwells, to be holden on the First Day of September yearly, or within Twenty Days after; or at any other General Meeting of the said Justices to be holden for the Division wherein the said Person resides; which Regulation by reason of the last-mentioned Provision has been found by Experience not to have the Effect intended by the said Regulation; be it therefore enacted by the Authority aforesaid, That the last before-mentioned Provision shall be and is hereby repealed; and that from henceforth no Licence for the Purposes aforesaid, shall be granted, but on the First Day of September yearly, or within Twenty Days after; and that such Licence shall be made for One Year only, to commence on the Twenty ninth Day of the said September; and that the Day and Place for granting such Licences shall be appointed by Two or more of the Justices acting for the Division, by a Warrant under their Hands and Seals, at least Ten Days before such Meeting, directed to the High Constable or High Constables of the said Division, requiring him or them to order his or their respective Petty Constables, or other Peace Officers, to give Notice to the several Innkeepers and Alehouse-keepers within their respective Constablewicks, of the Day and Place of such Meeting; and all Licences hereafter granted at any other Time or Place shall be null and void to all Intents and Purposes whatsoever.

Clause in Act 2 *Geo.* II.

Last Provision in the said Clause repealed.

Licences to be granted on 1 *Sept.* or 20 Days after, and the same to be made but for 1 year;

Notice to be given of the Time and Place for granting them.

And be it further enacted, That the Clerks of the Peace shall keep a Register or Calendar of all the Recognizances so sent or returned, and shall deliver or cause to be delivered to the Justices of the Peace at their Ge-

Sum of Ten Pounds, with Two sufficient Sureties, each in the Sum of Five Pounds, or One sufficient Surety, in the Sum of Ten Pounds, under the usual Condition, for Maintenance of good Order and Rule within the same; and in case the Person applying for such Licence shall be hindered through Sickness or Infirmity, or any other reasonable Cause, to be allowed by the said Justices of the Peace, to attend in Person at the Meetings of the same Justices for granting the said Licences; then that it shall and may be lawful for them to grant such Licence, upon Two sufficient Sureties entering into such Recognizance, each in the Penalty of Ten Pounds, for Performance of the Condition of the said Recognizance; which said Recognizance, with the Condition thereof, fairly written or printed, shall forthwith, or at the next General or Quarter Session of the Peace at farthest, after granting such Licences, be sent or returned to the Clerks of the Peace, or Persons acting as such, for every County, Riding, City, Liberty, or Town Corporate, in that Part of Great Britain called England, wherein such Licences shall be granted, under the Hands of the Justices of the Peace before whom such Recognizances were taken, to be by the said Clerks of the Peace, or such other Person acting as such, duly entered or filed amongst the Records of the Sessions of the Peace; and that for every such Licence granted without taking such Recognizance, and for every such Recognizance taken, and not sent or returned as aforesaid, every Justice of the Peace signing such Licence, shall forfeit the Sum of Three Pounds, Six Shillings, and Eight Pence.

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or Removal, such Person obtain such Certificate as aforesaid, to be signed by some neighbouring Justice in order to its being produced at the next General Meeting in September; and if such Certificate be not so obtained and signed within the said Thirty Days, then immediately from and after the Expiration thereof, such Licence shall be null and void; and no Licence shall intitle any Person to keep an Ale-house in any other Place, than that in which it was first kept by virtue of such Licence, and such Licence, with Regard to all other Places, shall be null and void.

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Clerks of the Peace to register, and deliver Copies of the Recognizances to the Justices at their General Meetings, for granting Licences, in *Sept.* yearly;

their Fee for the same.

neral Meetings in September every Year, for granting Licences in each Division or Place, a true Copy of such Register or Calendar; and that for every Recognizance there shall be paid by the Clerk or Clerks of the Justices taking such Recognizances, to the said Clerks of the Peace, as their Fee for filing or recording the said Recognizance, and for making and delivering Copies of the said Register or Calendar thereof as aforesaid, the Sum of One Shilling, and no more; which shall be paid to the Clerks of the said Justices, by the Persons licensed, over and above the Fees payable to the said Justices Clerks.

Recovery of the Forfeitures for granting Licences, without taking a Recognizance.

And be it enacted by the Authority aforesaid, That the said Forfeitures for granting Licences, without taking Recognizances, shall and may be sued for and recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, for the Use of the Person or Persons who shall sue or prosecute for the same, together with Costs of Suit; wherein no Essoin, Wager of Law, or more than One Imparlance shall be allowed.

Where a Justice shall adjudge the Recognizance to be forfeited, or the Condition thereof broken, he is to summon the Party to the Quarter Sessions, to answer the Complaint, &c.

And be it further enacted by the Authority aforesaid, That any Justice of the Peace of any County, Riding, City, Liberty, or Town Corporate, wherein such Licence shall be granted, upon Complaint or Information that such licensed Person hath done or committed any Act, Offence, or Misdemeanor, whereby in the Judgement of the same Justice such Recognizance may be forfeited, or the Condition thereof broken, may by Summons under his Hand and Seal require such Person so complained of, or informed against, to appear at the next General or Quarter Session of the Peace for the said County, Riding, City, Liberty, or Town Corporate, then and there to answer to the Matter of such Complaint or Information; and also may bind the Person or Persons who shall make such Complaint or Information, or any other Person or Persons, in a Recognizance to appear at such General or Quarter Session, and give Evidence against such Person so complained of or informed against; and the Justices of the Peace in their General or Quarter Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of Traverses, or some other Jury of Twelve honest and substantial Men, to be then and there impanelled by the Sheriff, without Fee or Reward, to inquire of the Misdemeanor charged in the said Complaint or Information; and if such Jury shall find that the Person so complained of, or informed against, hath done any Act whereby the Condition of his Recognizance is broken, such Act being

ſpecified in ſuch Complaint or Information, it ſhall and may be lawful for the Court at ſuch General or Quarter Seſſions to adjudge ſuch Perſon guilty of the Breach of ſuch Recognizance; which Verdict and Adjudication ſhall be final to all Intents and Purpoſes; and thereupon the ſaid Juſtices ſhall order the Recognizance entered into by ſuch Offender to be eſtreated into his Majeſty's Court of Exchequer, to be levied to his Majeſty's Uſe; and that the ſaid Perſon, the Condition of whoſe Recognizance ſhall be ſo adjudged to be broken and forfeited, ſhall, from and after ſuch Adjudication, be utterly diſabled to ſell any Ale, Beer, Cyder, Perry, Spirituous Liquors, or Strong Waters, for the Space of Three Years; and any Licence or Licences granted or to be granted to ſuch Perſon during ſuch Term, ſhall be void, and of none Effect.

and the Jury finding him guilty,

the Recognizance is to be eſtreated into the *Exchequer*;

and he is diſabled from ſelling Beer, *&c.* for Three Years.

Provided, That the ſaid Juſtices may at the Requeſt of the Proſecutor or Party ſo complained of, or informed againſt, or either of his or her Sureties, if they ſhall ſee juſt, adjourn the Hearing and Trial of the ſaid Complaint or Information to the then next General or Quarter Seſſions of the Peace, where the ſame ſhall be finally determined.

Juſtices, where they ſee Cauſe, may adjourn the Trial to next Seſſions.

And whereas many Perſons preſume to ſell Ale, Beer, Cyder, Perry, or other Liquors, without ſuch Licence as is required by Law for ſelling the ſame; and it is difficult, by reaſon of many Evaſions that are made uſe of, and by ſome Defects in former Laws, to convict ſuch Offenders; be it therefore enacted, That where any Juſtice of the Peace ſhall ſuſpect that any Alehouſe-keeper, Victualler, or Retailer, ſells Ale, Beer, Cyder, or Perry, without ſuch Licence, it ſhall and may be lawful for ſuch Juſtice to call ſuch ſuſpected Perſon before him, and alſo any Exciſe Officer or Gauger, to produce before ſuch Juſtice, his Stock Book, or other Account which ſuch Officer keeps, of the Charge or Survey of ſuch ſuſpected Perſon, in reſpect of any of the Liquors aforeſaid; and likewiſe to examine ſuch Exciſe Officer or Gauger upon Oath, touching the Manner in which ſuch Officer ſurveys or charges ſuch ſuſpected Perſon, in reſpect of any of the Liquors aforeſaid, or how or in what Manner ſuch ſuſpected Perſon actually pays the Duties for any of the ſaid Liquors; and if it ſhall appear by ſuch Stock Book or other Account, or by the Examination of the ſaid Officer or Gauger, that ſuch Perſon ſo ſuſpected of ſelling any of the Liquors aforeſaid, is ſurveyed as a Victualler or Retailer, and is charged with the ſame Duties that Victuallers and Retailers are uſually charged with, and pay for any of the Liquors aforeſaid, and is not intitled to the Allowance or Abatement given to common Brewers, then, and

Where a Juſtice ſhall ſuſpect that any Victualler or Retailer ſells Ale, *&c.* without Licence, he may ſummon him, and the Officer who ſurveys him,

and examine ſuch Officer upon Oath, touching his Survey and Charge, *&c.*

and in such Case, such suspected Person shall be deemed an Alehouse-keeper, Victualler, Retailer, or Seller of any of the Liquors aforesaid, to all Intents and Purposes, as if the same had been proved by Two Witnesses.

Justice upon Information that any Person is reasonably suspected of selling Ale, &c. without Licence, is to summon the Party and Evidence.

And be it further enacted, That if any Person shall make Information before any One Justice of the Peace, and shew probable Cause that he suspects that any Person sells Ale, Beer, or other Liquors, without a Licence from Two Justices; it shall and may be lawful to and for such Justice to call such suspected Person before him; and also to summon any other Person or Persons as Evidence, to prove the Charge against such suspected Person; and if such Person so summoned, shall refuse to appear, or when appearing, shall refuse to be examined upon Oath, and give Evidence as aforesaid, such Person or Persons shall forfeit the Sum of Ten Pounds, to be levied by Distress and Sale of the Goods and Chattles of such Offender or Offenders, by Warrant under the Hand and Seal of such Justice, rendering to him or them the Overplus, after Charges of the said Distress and Sale deducted, to be paid to the Overseers for the Use of the Poor of the Parish or Place where such Person or Persons so offending shall live.

Persons summoned, not appearing, or refusing to give Evidence, forfeit 10*l.*

Persons disabled by Conviction to sell Ale, &c. disabled also from selling Spirituous Liquors, &c.

And be it further enacted, That if any Person shall be disabled, by Conviction, to sell Ale, Beer, Cyder, or Perry, such Person shall, by the same Conviction, be also disabled to sell any Spirituous Liquors, or Strong Waters, any Licence before obtained for that Purpose notwithstanding; and every Licence granted to the Person so convicted, to sell Ale, Beer, Cyder, Perry, Spirituous Liquors, Strong Waters, or any of them, from the Time of such Conviction, shall be null and void; and every Person selling Ale, Beer, Cyder, Perry, Spirituous Liquors, Strong Waters, or any of them, during the Term of such Disability, shall be subject to all or such of the Penalties, as are respectively inflicted by Law for selling Ale, Beer, Cyder, Perry, Spirituous Liquors, Strong Waters, or any of them, by Retail, without a Licence; and in all Prosecutions of such Offenders, a Certificate from the Clerk of the Peace (or Person acting as such) of any such Conviction, shall be legal Evidence; which Certificate such Clerk of the Peace or Person shall grant on demand, without Fee or Reward.

Penalty of selling Ale, &c. without a Licence from Two Justices;

And be it further enacted, That every Person so convicted of the Offence of selling Ale, Beer, or other Liquors, without a Licence from Two Justices of the Peace, shall, for every such First Offence, forfeit the Sum of Forty Shillings; and for every such Second Offence, shall forfeit the

Sum of Four Pounds; and for every such Third Offence, shall forfeit the Sum of Six Pounds; all which said respective Forfeitures shall and may be levied by Distress and Sale of the Goods and Chattles of every such Offender (rendering to him the Overplus, after Charges of the said Distress and Sale deducted) by Warrant under the Hand and Seal of the Justice convicting such Offender; and shall be paid One Moiety thereof to the Informer, and the other Moiety thereof to the Overseers of the Poor, for the Use of the Poor of the Parish or Place where such Offence was committed; and if no sufficient Distress shall be found, whereon to levy the said respective Forfeitures, then the said Justice of the Peace shall and may commit every such Offender so respectively convicted as aforesaid, to the Common Gaol, or other Prison, or House of Correction, within his Jurisdiction, without Bail or Mainprize, for the Space of One Month, for the First Offence; and for the Second Offence, for the Space of Two Months; and for the Third Offence, until such Offender shall be discharged by Order of the Court of General Quarter Sessions.

to be levied by Distress and Sale;

One Moiety to the Informer, and the other to the Poor of the Parish;

For want of Distress; the Person to be committed.

And be it further enacted, That every Conviction of any Offender for selling Ale, Beer, or other Liquors without such Licence, or after being disabled to sell, as aforesaid, shall be certified by the Justice of the Peace making the same, to the next General or Quarter Session of the Peace, to be filed or entered amongst the Records of the said Session; and that such Conviction shall and may be drawn up and certified in the following Form of Words, as the Case shall happen, or in any other Form of Words to the same Effect, mutatis mutandis, that is to say,

Conviction to be certified to the next Quarter Sessions, and to be filed there.

Middlesex. } *A. B.* is convicted on his or her own Confession (*or*, on the Oath of) of having sold Ale, Beer, or other Liquors, in the Parish of in this County, on the Day of without being licensed thereto according to Law (*or*, after being disabled to sell, *(as the Case may be)* Given under my Hand and Seal this Day of

Form of Conviction.

And there shall be added, That the same is the First, Second, or Third Conviction; which said Conviction, in the same or the like Form of Words, shall be good and effectual in Law to all Intents and Purposes, and shall not be quashed, set aside, or adjuged void or insufficient, for want of any other Form or Words whatsoever.

Number of Convictions to be added thereto.

Provided always, That such Offender who shall be punished by virtue of this Act, shall not be punished again for the same Offence by any former Act; and that such

Offender not liable to double Punishment for the same Offence.

such Offender who shall be punished by virtue of any former Act, shall not be punished again for the same Offence, by virtue of this present Act, or any thing herein contained.

Rights of the Two Universities to grant Licences reserved.

Provided always, That this Act, or any thing herein contained, shall not in any wise be prejudicial to the Privilege of licensing Taverns and other Publick Houses, claimed by the Two Universities of that Part of Great Britain called England, or either of them, nor to the Chancellor, Masters, and Scholars, or any Officers of the same, or their Successors, but that they may use and enjoy such Privilege as they have heretofore lawfully used and enjoyed; any thing herein contained to the contrary notwithstanding.

The Times of granting Licences for Common Inns, not altered hereby, &c.

Provided always, That nothing herein contained shall extend or be construed to extend to alter the Time or Times of granting Licences for keeping of Common Inns or Ale-houses, or to oblige Persons not licensed the Year preceding, to produce Certificates in any City or Town Corporate.

Inhabitant of the Parish deemed a competent Witness.

Provided always, and be it enacted by the Authority aforesaid, That any Person shall be deemed a competent Witness, and be admitted to give Evidence upon any Information or Complaint for any Offence committed against this Act, notwithstanding such Person be an Inhabitant of or charged or liable to be charged to the Payment of any Rates or Assessments for the Relief of the Poor of any Parish or Place where such Offence shall be committed.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

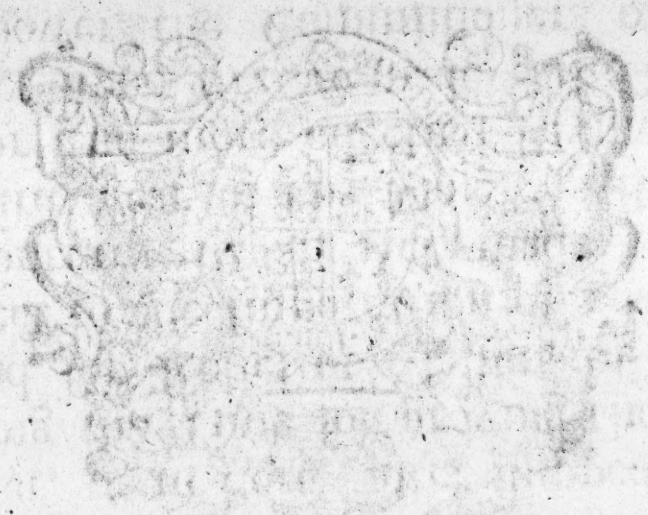
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

LONDON:



Anno vicesimo sexto

Georgii II. Regis.

An Act for continuing several Laws relating to the Punishment of Persons going armed or disguised in Defiance of the Laws of Customs or Excise; to the Drawback of the Duties upon Copper Bars exported; and to the Duties upon Foreign-made Sail Cloth; and also for Encouragement of the Silk Manufactures; and for taking off several Duties on Merchandizes exported; and for encouraging the Trade of the Sugar Colonies in *America*; and for vacating the Security for the Duty on Salt lost in any River, or in Port, after shipped; and for enlarging the Time for proving the Loss of Salt; and for Relief of Masters of Ships with Respect to the Importation of Soap and Candles, contrary to an Act made in the Twenty third Year of His Majesty's Reign; and also for the more effectual Payment of the Bounties upon *British*-made Sail Cloth; and to impower the Commissioners of the Treasury to direct the Payment of the Bounty to *John Henniker*, and others, upon Four Ships fitted out for the Whale Fishery, and lost in the *Greenland* Seas; and also to *Philip How*, and others, upon Two Ships

employed in the said Fishery, notwithstanding some of the Forms required by Law in fitting out such Ships, were not complied with.

Preamble.

WHEREAS several Laws herein after mentioned, have by Experience been found useful and beneficial, and are near expiring; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the Nineteenth Year of his present Majesty's Reign, intituled, An Act for the further Punishment of Persons going armed or disguised in Defiance of the Laws of Customs or Excise; and for indemnifying Offenders against those Laws upon the Terms in this Act mentioned; and for the Relief of Officers of the Customs in Informations upon Seizures; which Act was to continue in Force for the Space of Seven Years, and from thence to the End of the next Session of Parliament, as relates to the further Punishment of Persons going armed or disguised in Defiance of the Laws of Customs or Excise; and to the Relief of Officers of the Customs in Informations upon Seizures, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament.

Clause in Act 19 *Geo.* II. further continued to 24 *June*, 1758.

Clause in Act 9 & 10 *Will.* III.

And be it further enacted by the Authority aforesaid, That the Clause contained in an Act made in the Ninth and Tenth Years of the Reign of His late Majesty King William the Third, intituled, An Act to settle the Trade to *Africa*, for allowing during a limited Time a Drawback of the Duties upon the Exportation of Copper Bars imported; and which Clause after the Expiration thereof, was by an Act made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, revived and continued for Fourteen Years, and from thence to the End of the then next Session of Parliament; and also the Proviso in the said last Act contained, that no Drawback shall be allowed

and the Proviso in the Act of 12 *Annæ*,

on the Exportation of any Copper but such as had been, or should be imported from the East Indies and the Coast of Barbary only; and which said Clause and Proviso by another Act made in the Thirteenth Year of the Reign of His late Majesty, were further continued for Fourteen Years, and from thence to the End of the then next Session of Parliament; and which said Clause and Proviso by another Act made in the Fifteenth and Sixteenth Years of His present Majesty's Reign, were further continued for Fourteen Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament. further continued to 24 *June*, 1758.

And be it further enacted by the Authority aforesaid, That an Act made in the Nineteenth Year of His present Majesty's Reign, intituled, An Act for the more effectual securing the Duties now payable on Foreign-made Sail Cloth imported into this Kingdom; and for charging all Foreign-made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged, at their first setting out to Sea, to be furnished with One compleat Set of Sails made of *British* Sail Cloth; which was to continue in Force from the Twenty fourth Day of June, One thousand seven hundred and forty six, for the Term of Seven Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament. Act 19 *Geo.* II. continued to 24 *June*, 1758.

And be it further enacted by the Authority aforesaid, That the several Clauses contained in an Act made in the Eighth Year of the Reign of His late Majesty, intituled, An Act for Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; and for reducing the Duty upon Beaver Skins, Pepper, Mace, Cloves, and Nutmegs imported; and for the Importation of all Furs of the Product of the *British* Plantations into this Kingdom only; and that the Two Corporations of Assurance, on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suits relating to the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; which were to continue in Force for Three Years from the Twenty fifth Day of March, One thousand seven hundred and twenty two; and Clauses in Act 8 *Geo.* I. further continued to 24 *March*, 1758.

from thence to the End of the then next Session of Parliament; and which Clauses were, by an Act made in the Eleventh Year of his said late Majesty's Reign, continued from the Expiration thereof for Three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the Second Year of His present Majesty's Reign, were further continued, from the Expiration thereof, for Three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the Second Year of His present Majesty's Reign, were further continued, from the Expiration thereof, until the Twenty ninth Day of September, One thousand seven hundred and thirty four, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the Eighth Year of His present Majesty's Reign, were further continued until the Twenty fifth Day of March, One thousand seven hundred and forty two, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the Fifteenth Year of the Reign of His present Majesty, were further continued until the First Day of June, One thousand seven hundred and forty seven, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the Twentieth Year of the Reign of His present Majesty, were further continued until the First Day of June, One thousand seven hundred and fifty four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of March, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament.

Act 6 *Geo.* II. continued to 24 *June*, 1756.

And be it further enacted by the Authority aforesaid, That an Act made in the Sixth Year of the Reign of His present Majesty, intituled, An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in *America*, which was to continue in Force for Five Years, to be computed from the Twenty fourth Day of June, One thousand seven hundred and thirty three, and to the End of the then next Session of Parliament; and which, by an Act made in the Eleventh Year of His present Majesty's Reign, was further continued, from the Expiration thereof, for the further Term of Seven Years, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the Nineteenth Year of His present Majesty's Reign, was further continued, from the Expiration of the said last mentioned Term, for the further Term of Seven Years, and from

thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty six.

And whereas by an Act passed in the Second and Third Years of the Reign of Her late Majesty Queen Anne, intituled, An Act for the better securing and regulating the Duties upon Salt) it is enacted, That where any Salt or Rock Salt (the Duties whereof shall have been paid, or secured to be paid, according to the Direction of the former Laws relating to the said Duties on Salt) shall be shipped or laid on Board any Ship or Vessel in any Port, River, or Place, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, in order to be exported to Parts beyond the Seas, or be carried Coastwise; and the said Salt or Rock Salt so shipped or laid on Board, shall happen to perish by the Sinking of the Ship or Vessel on which the same shall be shipped or laid on Board, before the said Ship or Vessel shall go out of such Port or Place, and before the Exporter of such Salt shall be intitled to a Drawback or Allowance of the Duties thereof, that then and in such Case the Exporter or Proprietor of the said Salt or Rock Salt so perished, shall, upon Proof made before the Justices of the Peace, at the next General Quarter Sessions of the Peace to be held for the County, City, Riding, Division, or Place, next to the Place where the said Salt or Rock Salt shall so perish, of the Loss of the Salt or Rock Salt so shipped, receive from the said Sessions, a Certificate that such Proof was made before them; and upon producing the said Certificate to any of her Majesty's Collectors or Officers appointed to collect the said Duties on Salt, the said Collectors and Officers are thereby required to let the said Exporter or Proprietor buy the like Quantity of Salt or Rock Salt as is expressed in the said Certificate to be so perished, without paying to her Majesty any Duty of Excise for the same, in the same Manner as if such Salt or Rock Salt had so perished, going Coastwise from One Port of England to another: Clauses in Act 2 and 3 *Annæ*,

And whereas by an Act made in the Eighth Year of the Reign of His Majesty King George the First, intituled, An Act for taking off the Duty upon all Salt used in the curing of Red Herrings, and laying a proportionable Duty upon all Red Herrings consumed at Home only; and for ascertaining the Customs and Excise, payable for the Sugar Houses in *Scotland*; and for making an Allowance for Salt lost in any Harbour or River of this Realm; and for the better securing the Duties on Salt delivered in *Scotland*, and 8 *Geo.* I.

it

it is among other Things enacted, That the Owners of any Salt, which after due Payment of the Duty, shall perish or be lost in any of the Ports or Harbours, or Rivers of this Realm, by Storms or Rages of the Tides from Sea, or otherwise, shall upon such Proofs made thereof in all Points, and in Manner as is directed by the afore-mentioned Act of the Second and Third Years of the Reign of Her late Majesty Queen Anne, (that gives Relief in Cases of Salt lost by violent or stormy Weather at Sea) be intitled to such Certificate, and thereupon to such Right and Privilege as any Owners of the like Salt lost at Sea, in the like Case are intitled to by virtue of the said Act, which Privilege is to buy the like Quantity of Salt as is expressed in the Certificate to be lost, without paying to His Majesty, any Duty of Excise for the same: And whereas the Exporters of Salt to Foreign Parts, do give Bond for the Duty of the same, which Bond is discharged by a Debenture upon the Exportation thereof, but in such Cases where the Salt is lost in carrying the same down the River in order to be shipt on Board the Vessel in which the same is to be exported, or lost in the Port after the same is shipped, and before the Exporter is or can be intitled to a Debenture, the Exporter or Owner of the Salt so lost, upon Proof thereof in Manner as directed by the afore recited Acts, obtains a Certificate of such Proof being made, which Certificate intitles him by the said Acts, to buy the like Quantity of Salt as is expressed therein to have been lost, without paying any Duty for the same, but cannot be applied to the Discharge of the Bond given for the Duty of the Salt lost, the Exporter therefore must discharge the Bond in Money without any Abatement, and when he has so done, he cannot export the Salt delivered him Duty-free, so as to be intitled to a Drawback thereupon, but must sell it for Home Consumption greatly to his Disadvantage, as the Dealers in Salt for Home Consumption have a Discount on prompt Payment of the Duty, and an Allowance for Waste on Salt carried Coastwise: For Remedy whereof be it enacted by the Authority aforesaid, That where any Salt or Rock Salt hath been lost or shall be lost, in carrying the same down any River, in order to be shipt on Board the Vessel, in which the same is to be exported, or hath been or shall be lost in the Port after the same is shipt, and before the Exporter is or can be intitled to a Debenture, and Proof thereof hath been or shall be made in all Points, and in Manner as directed by the afore recited Acts, then and in every such Case, the Certificate or Certificates for all such

Certificate for Salt lost, to vacate the Security given for Payment of the Duty.

Salt or Rock Salt that hath been lost or shall be lost, shall and may be applied by the Collector of the Duties on Salt, for the Place where the Duty on such Salt or Rock Salt hath been or shall be secured to be paid, to discharge and vacate the Security given or to be given, for the Duty of so much Salt as shall appear by such Certificate to have been lost; any thing in the said in Part recited Acts, or any other Act to the contrary in any wise notwithstanding.

And whereas by an Act passed in the Fourth and Fifth Years of the Reign of Her late Majesty Queen Anne, intituled, An Act for laying further Duties on Low Wines; and for preventing the Damage to Her Majesty's Revenue by Importation of Foreign-cut Whalebone; and for making some Provisions as to the Stamp Duties, and the Duties on Births, Burials, and Marriages, and the Salt Duties, and touching Million Lottery Tickets; and for enabling Her Majesty to dispose of the Effects of *William Kidd* a notorious Pirate, to the Use of *Greenwich* Hospital; and for appropriating the Publick Monies granted in this Session of Parliament; it is enacted, That the Exporter or Proprietor of Salt or Rock Salt which shall perish or be lost in the Manner described in the said Act, shall, upon Proof made before the Justices of the Peace at the General Quarter Sessions of the Peace, to be held for the County, City, Riding, Division, or Place, from whence the same was so exported, of the Loss of such Salt so shipped or to be shipped, receive from the said Sessions a Certificate that such Proof was made before them; and upon producing the said Certificate to the Officer of the Place where the Duty on such Salt shall have been paid or secured to be paid, such Security shall be discharged, and so much Money as was actually paid for the Duty of the said Salt, shall be repaid upon Demand by the said Officer, without Fee or Reward, provided such Proof be made as aforesaid by Two credible Witnesses, within Six Months after such Loss or taking as aforesaid: And whereas the making such Proof as aforesaid, within the Time limited by the said Act has, in many Cases, been found impracticable, by reason of the Shortness of the said Time; be it therefore enacted by the Authority aforesaid, That the Time for making such Proof as aforesaid, shall, from and after the passing of this Act, be enlarged to Two Years; any thing in the said Act to the contrary notwithstanding.

Clause in Act 4 & 5 *Annæ*.

Time for making Proof of Salt lost, in order to obtain a Certificate, enlarged to Two Years.

And whereas by an Act made in the Twenty third Year of his present Majesty's Reign, for enforcing the Laws against the clandestine Importation of Soap, Candles, and Starch, into this Kingdom, a Penalty of Fifty Pounds

Clause in Act 23 *Geo.* II.

is laid upon the Master, Mate, or other Person taking the Charge or Command of any Ship or Vessel wherein any Candles, Soap, or Starch, shall be brought or imported contrary to the said Act; and Power is given to the Commissioners of Excise and Justices of the Peace before whom any Informations for the Penalties imposed by the said Act shall be heard and determined, to mitigate the same where they shall see Cause, so as such Mitigation do not reduce the Penalty to less than One Fourth Part thereof, over and above the Costs and Charges of the Officers, as well in making the Discovery, as in the Prosecution of the same: And whereas the Masters or other Persons having the Charge of Ships or Vessels, are liable to the Penalty inflicted by the said Act for importing Candles, Soap, or Starch, otherwise than by the said Act is prescribed, although such Candles, Soap, or Starch, were put on Board without the Knowledge or Privity of such Masters or other Persons aforesaid, by the Mariners serving on Board such Ships or Vessels; and it is reasonable that such Masters or other Persons should be indemnified against the Penalty to which they are by the said Act made liable, for the Offences committed by the said Mariners; be it therefore enacted by the Authority aforesaid, That when any Information shall be brought against the Master, Mate, or other Person, having the Charge of any Ship or Vessel, for Recovery of the Penalty inflicted by the said Act, for importing Candles, Soap, or Starch, otherwise than by the said Act is prescribed; it shall be lawful for such Master, Mate, or other Person, to stop and detain the Wages of the Mariners and Men serving on Board such Ship or Vessel, until such Information shall be heard and determined; and if upon the Hearing and Determination thereof, it shall appear that such Candles, Soap, or Starch, were put on Board such Ship or Vessel by any of the Mariners or Men serving therein, without the Knowledge or Privity of the Master, Mate, or other Person, having the Charge of such Ship or Vessel, it shall be lawful for such Master, Mate, or other Person aforesaid, to keep and retain in his Hands so much of the Wages of the Mariners and Men serving on Board such Ship or Vessel, who shall be found guilty of or privy to such Offence, as will be sufficient to answer and satisfy the Penalty inflicted upon such Master, Mate, or other Person aforesaid, who shall be and is hereby indemnified for so doing.

Upon Information brought for Recovery of the Penalty inflicted by the recited Act, the Wages of the Mariners to be detained, till the same shall be determined,

and, upon Conviction, to be applied in Payment of the Forfeiture.

And whereas the Provision contained in an Act made in the Twenty third Year of the Reign of His present Majesty for the due and regular Payment of the Bounties granted

Proviso in Act 23 *Geo.* II.

granted upon the Exportation of British-made Sail Cloth has proved ineffectual; be it therefore enacted by the Authority aforesaid, That the Bounties due since the First of June, One thousand seven hundred and fifty (being the Commencement of the said Provision) and which shall hereafter become due on the Exportation of British-made Sail Cloth, instead of being paid in the Manner in the said Act directed, shall be, and the same are hereby charged upon, and shall be paid out of such Parts of the Old Subsidy as are applicable to the Payment of Incidents.

The Bounties thereby due charged on the Old Subsidy, applicable to Payment of Incidents.

And whereas by Two Acts of Parliament made in the Sixth and Twenty second Years of the Reign of his present Majesty, for the Encouragement of the Whale Fishery carried on by His British Majesty's Subjects, a Bounty of Forty Shillings per Ton, under certain Regulations mentioned in the said Acts, is to be paid by the Receiver General of the Customs to the Master or Owners of Ships employed in the Whale Fishery in the Greenland Seas or Davis's Streights, on their Return to this Kingdom: And whereas John Hennicker, Henry Bird the Elder, Henry Bird the Younger, and Conrad Lang, of London, Merchants, did fit out in the Year One thousand seven hundred and fifty two, Four Ships, called the Merry Jacks, Sword Fish, Revolution, and Neptune, for the Whale Fishery in the Greenland Seas, in the Manner prescribed and appointed by the said Acts, and which said Ships were actually employed in the said Fishery, but were unavoidably lost in the said Seas; be it therefore enacted by the Authority aforesaid, That the Commissioners of His Majesty's Treasury for the time being, or any Three of them, shall be, and they are hereby impowered to direct, if they think fit, the Payment of the Bounties which the said John Hennicker, Henry Bird the Elder, Henry Bird the Younger, and Conrad Lang, would have been intitled to in case the said Ships had returned to this Kingdom; any thing in the said Two several Acts contained to the contrary notwithstanding.

Clauses in Acts 6 & 22 *Geo* II.

Commissioners of the Treasury impowered to direct the Bounties granted by the recited Acts, to be paid to *John Hennicker*, Messr. *Birds*, and *Conrad Lang*,

And whereas by Two Acts of Parliament made in the Sixth and Twenty second Years of the Reign of His present Majesty for the Encouragement of the Whale Fishery carried on by His British Majesty's Subjects, a Bounty of Forty Shillings per Ton, under certain Regulations mentioned in the said Acts, is to be paid by the Receiver General of the Customs to the Master or Owners of Ships employed in the Whale Fishery in the Greenland Seas or Davis's Streights, on their Return to this Kingdom: And whereas Phillip How, on the Behalf of himself and several other Persons, did, in the Year One thousand se-

ven hundred and fifty two, fit out Two Ships, called the Argyle and Campletoun, for the said Fishery, in the manner required by the said Acts; and which said Ships were actually employed in the said Fishery, and did return to this Kingdom with Three Whales; but by reason of an Omission or Mistake in making the Affidavits, and giving the Security required by the said Acts, the said Owners have not been able to obtain the proper Certificates for the Payment of the said Bounty; be it therefore enacted by the Authority aforesaid, That the Commissioners of His Majesty's Treasury for the time being, or any Three of them, shall be, and they are hereby impowered to direct, if they think fit, the Payment of the Bounties which the said Phillip How and others, would have been intitled to, in case they had complied with all the Forms and Regulations required by the said Acts of Parliament; any thing in the said Two several Acts contained to the contrary notwithstanding.

and also to *Phillip How*, &c.

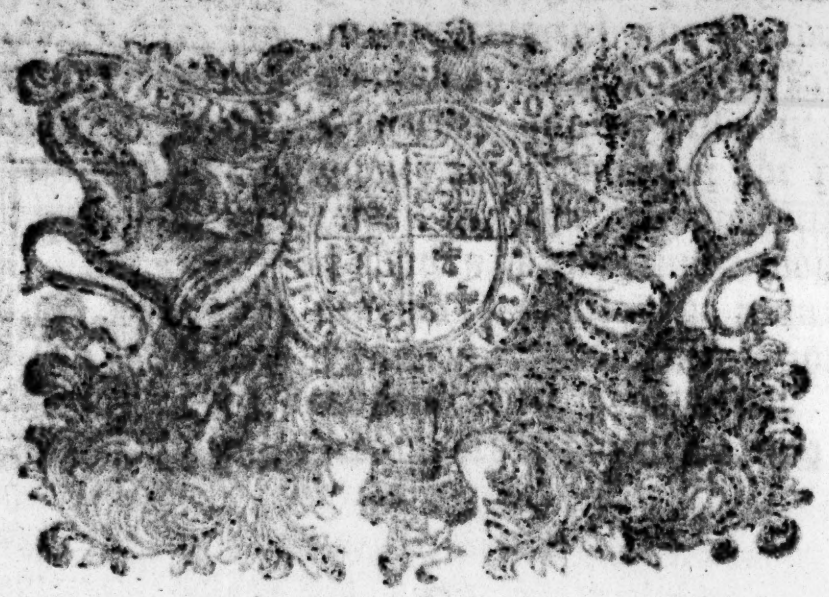
FINIS.

Anno Regni
GEORGII II.
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



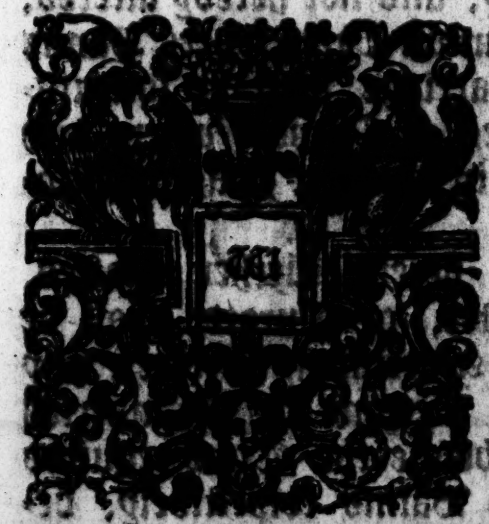
GEORGII III.

REGIS

Anno vicesimo sexto

Georgii II. Regis.

An Act for the better preventing of Clandestine Marriages.



Preamble.

Whereas great Mischiefs and Inconveniencies have arisen from Clandestine Marriages; for preventing thereof for the future, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of March, in the Year of our Lord One thousand seven hundred and fifty four, all Banns of Matrimony shall be published in an audible

Publication of Banns.

5

Manner in the Parish Church, or in some Publick Chapel, in which Publick Chapel Banns of Matrimony have been usually published, of or belonging to such Parish or Chapelry wherein the Persons to be married shall dwell, according to the Form of Words prescribed by the Rubrick prefixed to the Office of Matrimony in the Book of Common Prayer, upon Three Sundays preceding the Solemnization of Marriage, during the Time of Morning Service, or of Evening Service, (if there be no Morning Service in such Church or Chapel) upon any of those Sundays, immediately after the Second Lesson: And whensoever it shall happen that the Persons to be married shall dwell in divers Parishes or Chapelries, the Banns shall in like Manner be published in the Church or Chapel, belonging to such Parish or Chapelry wherein each of the said Persons shall dwell; and where both or either of the Persons to be married shall dwell in any Extraparochial Place (having no Church or Chapel wherein Banns have been usually published) then the Banns shall in like Manner be published in the Parish Church or Chapel belonging to some Parish or Chapelry, adjoining to such Extraparochial Place: And where Banns shall be published in any Church or Chapel belonging to any Parish adjoining to such Extraparochial Place, the Parson, Vicar, Minister, or Curate, publishing such Banns, shall, in Writing under his Hand, certify the Publication thereof, in such Manner as if either of the Persons to be married dwelt in such adjoining Parish; and that all other the Rules prescribed by the said Rubrick concerning the Publication of Banns, and the Solemnization of Matrimony, and not hereby altered, shall be duly observed; and that in all Cases where Banns shall have been published, the Marriage shall be solemnized in one of the Parish Churches or Chapels where such Banns have been published, and in no other Place whatsoever.

Minister to sign the Publication thereof;

and the Marriage to be solemnized in one of the Churches where the Banns have been published.

Provided always, and it is hereby further enacted, That no Parson, Vicar, Minister, or Curate, shall be obliged to publish the Banns of Matrimony between any Persons whatsoever, unless the Persons to be married shall, Seven Days at the least before the Time required for the first Publication of such Banns respectively, deliver, or cause to be delivered, to such Parson, Vicar, Minister, or Curate, a Notice in Writing of their true Christian and Surnames, and of the House or Houses of their respective Abodes within such Parish, Chapelry, or Extraparochial

Notice of the Names, Places of Abode, and Time of Residence, of the Parties, to be given to the Minister 7 Days before Publication of Banns.

Extraparochial Place as aforesaid, and of the Time during which they have dwelt, inhabited, or lodged in such House or Houses respectively.

Minister not punishable for solemnizing Marriage, after Banns published, where the Parents or Guardians give no Notice of Dissent;

Provided always, and be it enacted by the Authority aforesaid, That no Parson, Minister, Vicar, or Curate, solemnizing Marriages after the Twenty fifth Day of March, One thousand seven hundred and fifty four, between Persons, both or One of whom shall be under the Age of Twenty one Years, after Banns published, shall be punishable by Ecclesiastical Censures for solemnizing such Marriages without Consent of Parents or Guardians, whose Consent is required by Law, unless such Parson, Minister, Vicar, or Curate, shall have Notice of the Dissent of such Parents or Guardians; and in case such Parents or Guardians, or One of them, shall openly and publickly declare, or cause to be declared, in the Church or Chapel, where the Banns shall be so published, at the Time of such Publication, his, her, or their Dissent to such Marriage, such Publication of Banns shall be absolutely void.

but where such Dissent shall be given, Publication of Banns to be void.

Licences to be granted to solemnize Matrimony in the Church or Chapel of such Parish only, where One of the Parties shall have resided for 4 Weeks before, or in some Parish Church adjoining, where the Parties live in Places Extraparochial.

And it is hereby further enacted, That no Licence of Marriage shall, from and after the said Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, be granted by any Archbishop, Bishop, or other Ordinary or Person having Authority to grant such Licences, to solemnize any Marriage in any other Church or Chapel, than in the Parish Church or Publick Chapel of or belonging to the Parish or Chapelry, within which the usual Place of Abode of One of the Persons to be married shall have been for the Space of Four Weeks, immediately before the granting of such Licence; or where both, or either of the Parties to be married shall dwell in any Extraparochial Place, having no Church or Chapel wherein Banns have been usually published, then in the Parish Church or Chapel belonging to some Parish or Chapelry adjoining to such Extraparochial Place, and in no other Place whatsoever.

Places which may be deemed Extraparochial by this Act.

Provided always, and be it enacted by the Authority aforesaid, That all Parishes, where there shall be no Parish Church or Chapel belonging thereto, or none wherein Divine Service shall be usually celebrated every Sunday, may be deemed Extraparochial Places for the Purposes of this Act, but not for any other Purpose.

Archbishop of *Canterbury*'s Right to grant Special Licences reserved.

Provided always, That nothing herein before contained shall be construed to extend to deprive the Archbishop of Canterbury and his Successors, and his and their proper Officers, of the Right which hath hitherto been used, in

virtue of a certain Statute made in the Twenty fifth Year of the Reign of the late King Henry the Eighth, intituled, An Act concerning *Peter Pence* and Dispensations; of granting Special Licences to marry at any convenient Time or Place.

Surrogate deputed to grant Licences, to take an Oath of Office, and give Security.

Provided always, and be it enacted, That from and after the Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, no Surrogate deputed by any Ecclesiastical Judge, who hath Power to grant Licences of Marriage, shall grant any such Licence before he hath taken an Oath before the said Judge faithfully to execute his Office, according to Law, to the best of his Knowledge, and hath given Security by his Bond in the Sum of One hundred Pounds to the Bishop of the Diocese, for the due and faithful Execution of his said Office.

Persons convicted of solemnizing Matrimony, without Publication of Banns, or Licence first had, or in any other Place than a Church or Publick Chapel, except by Special Licence,

And whereas many Persons do solemnize Matrimony in Prisons and other Places without Publication of Banns, or Licence of Marriage first had and obtained; Therefore, for the Prevention thereof, be it enacted, That if any Person shall, from and after the said Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, solemnize Matrimony in any other Place than a Church or Publick Chapel, where Banns have been usually published, unless by special Licence from the Archbishop of Canterbury; or shall solemnize Matrimony without Publication of Banns, unless Licence of Marriage be first had and obtained from some Person or Persons having Authority to grant the same, every Person knowingly and wilfully so offending, and being lawfully convicted thereof, shall be deemed and adjudged to be guilty of Felony, and shall be transported to some of His Majesty's Plantations in America, for the Space of Fourteen Years, according to the Laws in Force for Transportation of Felons; and all Marriages solemnized from and after the Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, in any other Place than a Church or such Publick Chapel, unless by Special Licence as aforesaid, or that shall be solemnized without Publication of Banns, or Licence of Marriage from a Person or Persons having Authority to grant the same, first had and obtained, shall be null and void to all Intents and Purposes whatsoever.

to be transported,

and the said Marriages to be null.

Prosecution for the same to be commenced within 3 Years.

Provided, That all Prosecutions for such Felony shall be commenced within the Space of Three Years after the Offence committed,

Provided

Proof of the Parties Dwelling in the Pariſhes, &c. where Marriage ſhall have been ſolemnized, not neceſſary to the Validity of ſuch Marriage.

Provided always, That after the Solemnization of any Marriage, under a Publication of Banns, it ſhall not be neceſſary in Support of ſuch Marriage, to give any Proof of the actual Dwelling of the Parties in the reſpective Pariſhes or Chapelries wherein the Banns of Matrimony were publiſhed; or where the Marriage is by Licence, it ſhall not be neceſſary to give any Proof that the uſual Place of Abode of One of the Parties, for the Space of Four Weeks as aforeſaid, was in the Pariſh or Chapelry where the Marriage was ſolemnized; nor ſhall any Evidence in either of the ſaid Caſes be received to prove the contrary in any Suit touching the Validity of ſuch Marriage.

Marriages ſolemnized by Licence, without Conſent of the Parents or Guardians, where either of the Parties (not being a Widower or Widow) ſhall be under Age, declared to be void.

And it is hereby further enacted, That all Marriages ſolemnized by Licence, after the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and fifty four, where either of the Parties, not being a Widower or Widow, ſhall be under the Age of Twenty one Years, which ſhall be had without the Conſent of the Father of ſuch of the Parties, ſo under Age (if then living) firſt had and obtained, or if dead, of the Guardian or Guardians of the Perſon of the Party ſo under Age, lawfully appointed, or One of them; and in caſe there ſhall be no ſuch Guardian or Guardians, then of the Mother (if living and unmarried) or if there ſhall be no Mother living and unmarried, then of a Guardian or Guardians of the Perſon appointed by the Court of Chancery, ſhall be abſolutely null and void to all Intents and Purpoſes whatſoever.

Where the Guardians or Mother ſhall be *Non Compos Mentis*, or in Parts beyond the Seas, or ſhall unreaſonably with-hold their Conſent to a Marriage propoſed, the Parties may apply to the Lord Chancellor, &c.

And whereas it may happen, that the Guardian or Guardians, Mother or Mothers, of the Parties to be married, or One of them, ſo under Age as aforeſaid, may be Non Compos Mentis, or may be in Parts beyond the Seas, or may be induced unreaſonably, and by undue Motives to abuſe the Truſt repoſed in him, her, or them, by refuſing or with-holding his, her, or their Conſent to a proper Marriage; be it therefore enacted, That in caſe any ſuch Guardian or Guardians, Mother or Mothers, or any of them, whoſe Conſent is made neceſſary as aforeſaid, ſhall be Non Compos Mentis, or in Parts beyond the Seas, or ſhall refuſe or with-hold his, her, or their Conſent to the Marriage of any Perſon, it ſhall and may be lawful for any Perſon deſirous of marrying, in any of the before-mentioned Caſes, to apply by Petition to the Lord Chancellor, Lord Keeper, or the Lords Commiſſioners of the Great Seal of Great Britain for the time being, who is and are hereby impowered to proceed upon ſuch Petition, in a ſummary Way; and in caſe

and being approved by Order of the Court, shall be effectual.

case the Marriage proposed, shall upon Examination appear to be proper, the said Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the time being, shall judicially declare the same to be so by an Order of Court, and such Order shall be deemed and taken to be as good and effectual to all Intents and Purposes, as if the Guardian or Guardians, or Mother of the Person so petitioning, had consented to such Marriage.

No Suit to be had in the Ecclesiastical Court, to compel a Marriage *in facie Ecclesiæ*, by reason of any Contract of Matrimony.

And it is hereby further enacted, That in no Case whatsoever, shall any Suit or Proceeding be had in any Ecclesiastical Court, in order to compel a Celebration of any Marriage in facie Ecclesiæ, by reason of any Contract of Matrimony whatsoever, whether per verba de præsenti, or per verba de futuro, which shall be entered into after the Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four; any Law or Usage to the contrary notwithstanding.

Churchwardens to provide proper Books in which are to be registered all Marriages and Banns solemnized and published;

And for preventing undue Entries and Abuses in Registers of Marriages; be it enacted by the Authority aforesaid, That on or before the Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, and from time to time afterwards as there shall be Occasion, the Churchwardens and Chapelwardens of every Parish or Chapelry shall provide proper Books of Vellum, or good and durable Paper, in which all Marriages and Banns of Marriage respectively, there published or solemnized, shall be registered, and every Page thereof shall be marked at the Top, with the Figure of the Number of every such Page, beginning at the Second Leaf with Number One; and every Leaf or Page so numbered, shall be ruled with Lines at proper and equal Distances from each other, or as near as may be; and all Banns and Marriages published or celebrated in any Church or Chapel, or within any such Parish or Chapelry, shall be respectively entered, registered,

the same to be signed by the Minister;

printed, or written upon, or as near as conveniently may be to such ruled Lines, and shall be signed by the Parson, Vicar, Minister, or Curate, or by some other Person in his Presence, and by his Direction; and such Entries shall be made as aforesaid, on or near such Lines in successive Order, where the Paper is not damaged or decayed by Accident or Length of Time, until a new Book shall be thought proper or necessary to be provided for the same Purposes, and then the Directions aforesaid shall be observed in every such new Book; and all Books provided as aforesaid, shall be deemed to belong

and the Books to belong to the Parish, and to be kept for publick Use.

to

to every such Parish or Chapelry respectively, and shall be carefully kept and preserved for publick Use.

And in order to preserve the Evidence of Marriages, and to make the Proof thereof more certain and easy, and for the Direction of Ministers in the Celebration of Marriages and registering thereof, be it enacted, That from and after the Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, all Marriages shall be solemnized in the Presence of Two or more credible Witnesses, besides the Minister who shall celebrate the same; and that immediately after the Celebration of every Marriage, an Entry thereof shall be made in such Register to be kept as aforesaid; in which Entry or Register it shall be expressed, That the said Marriage was celebrated by Banns or Licence; and if both or either of the Parties married by Licence, be under Age, with Consent of the Parents or Guardians, as the Case shall be; and shall be signed by the Minister with his proper Addition, and also by the Parties married, and attested by such Two Witnesses; which Entry shall be made in the Form or to the Effect following; that is to say,

Marriages to be solemnized in the Presence of Two Witnesses, besides the Minister, and to be properly registered,

and signed by the Minister, Parties, and Witnesses,

in Form, or to this Effect.

A. B. of [the / this] Parish

and *C. D.* of [the / this] Parish

were married in this [Church / Chapel] by [Banns / Licence] with Consent of [Parents / Guardians] this Day of

in the Year

by me *J. J.* [Rector / Vicar / Curate]

This Marriage was solemnized between us *A. B.* *C. D.* in the Presence of *E. F.* *G. H.*

And be it further enacted by the Authority aforesaid, That if any Person shall, from and after the Twenty fifth Day of March, in the Year One thousand seven hundred and fifty four, with Intent to elude the Force of this Act, knowingly and wilfully insert, or cause to be inserted in the Register Book of such Parish or Chapelry as aforesaid, any false Entry of any Matter or Thing relating to any Marriage; or falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made,

Persons convicted of making a false Entry in the said Register,

or of forging, &c. any such Entry,

or assisting therein,

or of forging, &c. any Licence,

or of publishing the same, knowing such Register or Licence to be false;

or of destroying with an ill Intent any such Register,

are to suffer Death.

altered, forged, or counterfeited, or act or assist in falsely making, altering, forging, or counterfeiting any such Entry in such Register; or falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or assist in falsely making, altering, forging, or counterfeiting any such Licence of Marriage as aforesaid; or utter or publish as true any such false, altered, forged, or counterfeited Register as aforesaid, or a Copy thereof, or any such false, altered, forged, or counterfeited Licence of Marriage, knowing such Register or Licence of Marriage respectively, to be false, altered, forged, or counterfeited; or if any Person shall, from and after the said Twenty fifth Day of March, wilfully destroy, or cause or procure to be destroyed, any Register Book of Marriages, or any Part of such Register Book, with Intent to avoid any Marriage, or to subject any Person to any of the Penalties of this Act, every Person so offending, and being thereof lawfully convicted, shall be deemed and adjudged to be guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Marriages of the Royal Family,

Provided always, That this Act, or any thing therein contained, shall not extend to the Marriages of any of the Royal Family.

and of *Quakers* and *Jews*, and of Persons in *Scotland*, or beyond the Seas, excepted out of this Act.

Provided likewise, That nothing in this Act contained shall extend to that Part of Great Britain called Scotland, nor to any Marriages amongst the People called Quakers, or amongst the Persons professing the Jewish Religion, where both the Parties to any such Marriage shall be of the People called Quakers, or Persons professing the Jewish Religion respectively, nor to any Marriages solemnized beyond the Seas.

This Act to be read in all Parish Churches and Publick Chapels.

And be it further enacted by the Authority aforesaid, That this Act shall be publickly read in all Parish Churches and Publick Chapels, by the Parson, Vicar, Minister, or Curate of the respective Parishes or Chapelries, on some Sunday immediately after Morning Prayer, or immediately after Evening Prayer, if there shall be no Morning Service on that Day, in each of the Months of September, October, November, and December, in the Year of our Lord One thousand seven hundred and fifty three, and afterwards at the same Times, on Four several Sundays in each Year (that is to say) The Sundays next before the Twenty fifth Day of March, Twenty fourth Day of June, Twenty ninth Day of September, and Twenty fifth Day of December respectively, for Two Years, to be computed from and immediately after the First Day of January, in the said Year One thousand seven hundred and fifty four.

FINIS.

Anno Regni
GEORGII II.
REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

GEORGE II.

Anno vicesimo sexto

Georgii II. Regis.

An Act to explain, amend, and continue several Laws more effectually to prevent the spreading of the Distemper which now rages amongst the Horned Cattle in this Kingdom: For the more effectual paying the Expences of passing Vagrants: For obviating Doubts that may arise touching the keeping of Prisoners, until the Prison of the *Marshalsea*, of the Court of *King's Bench*, shall be rebuilt or repaired; And for amending so much of the Act of the Twenty fourth of His present Majesty, for regulating the Commencement of the Year; and for correcting the Calendar now in use, as relates to the Time of electing publick Officers of the City of *Chester*.

WHEREAS the contagious Distemper amongst the Horned Cattle still continues to rage in this Kingdom: And whereas the several Laws made to prevent the spreading of the said Distemper (which have been found useful and beneficial) are near expiring; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the Nineteenth Year of the Preamble.

The ſeveral Acts made for preventing the ſpreading of the Diſtemper amongſt Horned Cattle, *viz.* Acts 19 *Geo.* II.

Reign of His preſent Majeſty, intituled, An Act to enable His Majeſty to make Rules, Orders, and Regulations more effectually to prevent the ſpreading of the Diſtemper, which now rages amongſt the Horned Cattle in this Kingdom, which was to continue in force for the Space of Eight Months, and to the End of the then next Seſſion of Par-

20 *Geo.* II. liament; and which by an Act made in the Twentieth Year of the Reign of his preſent Majeſty, was explained, amended, and continued, and to be in force with the ſaid laſt-mentioned Act for the Space of Eight Months, from the Tenth Day of January, One thouſand ſeven hundred and forty ſix, and from thence to the End of the then nert Seſſion of Parliament; and which ſaid Acts, by an

21 *Geo.* II. Act made in the Twenty firſt Year of the Reign of His preſent Majeſty, were further continued until the Twenty fourth Day of September, One thouſand ſeven hundred and forty eight, and from thence to the End of the then nert Seſſion of Parliament; and which by an Act, made

22 *Geo.* II. in the Twenty ſecond Year of the Reign of His preſent Majeſty, were further continued until the Twenty fourth Day of September, One thouſand ſeven hundred and forty nine, and from thence to the End of the then next Seſſion of Parliament; and alſo ſeveral Clauſes in the ſaid Act made in the Twenty ſecond Year of His preſent Majeſty's Reign, for amending, explaining, and enforcing the ſaid Acts made in the Nineteenth and Twentieth Years of His preſent Majeſty's Reign; and for preventing the ſpreading of the Diſtemper amongſt the Horned Cattle; and for impowering His Majeſty to prohibit the killing of Cow

23 *Geo.* II. Calves; and which by an Act made in the Twenty third Year of the Reign of His preſent Majeſty, were further continued until the Twenty ninth Day of September, One thouſand ſeven hundred and fifty, and from thence to the End of the then nert Seſſion of Parliament; and alſo ſeveral Clauſes in the ſaid Act made in the Twenty third Year of the Reign of His preſent Majeſty; and which by

24 *Geo.* II. an Act made in the Twenty fourth Year of the Reign of his preſent Majeſty, were further continued until the Firſt Day of September, One thouſand ſeven hundred and fifty one, and from thence to the End of the then next Seſſion of Parliament; and alſo ſeveral Clauſes in the ſaid Act made in the Twenty fourth Year of His preſent Majeſty's Reign, for explaining and enforcing the ſaid Acts; and

and 25 *Geo.* II. are further continued, which by an Act made in the Twenty fifth Year of the Reign of His preſent Majeſty, were further continued until the Firſt Day of September, One thouſand ſeven hundred and fifty two, and from thence to the End of the then next Seſſion of Parliament; and alſo ſeveral Clauſes

in the said Act made in the Twenty fifth Year of His present Majesty's Reign, for explaining and amending the said Acts, shall, except so much of an Act made in the Twenty third Year of the Reign of His present Majesty, intituled, An Act to continue several Laws for preventing the spreading of the Distemper which now rages amongst the Horned Cattle; and for impowering His Majesty to prohibit the killing of Cow Calves; as relates to the impowering Justices of the Peace, at their respective General Quarter Sessions of the Peace, to license any Person residing within their respective Counties, Ridings, or Divisions, to buy and sell Cattle, be, and the same are hereby further continued until the First Day of September, One thousand seven hundred and fifty three, and from thence to the End of the then next Session of Parliament.

except Clause in Act 23 *Geo.* II.

to 1 *Sep.* 1753, &c.

And whereas by an Act made in the Seventeenth Year of the Reign of His present Majesty, intituled, An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and disorderly Persons, and to Houses of Correction; it is enacted, That all Rogues, Vagabonds, and incorrigible Rogues, sent by Passes from one County, Riding, Division, Corporation, or Franchise, into any other County, Riding, Division, Corporation, or Franchise, shall be delivered to the Constable or other such Officer of the first Town, Parish, or Place, in the next County, Riding, Division, Corporation, or Franchise, to be by him conveyed forward in such Manner as by the said Act is directed; and that the Allowances to be made to the Constables and other such Officers for the conveying of such Rogues, Vagabonds, and incorrigible Rogues, shall be paid by the High or Chief Constables, and that such High or Chief Constables shall be allowed the same by the Treasurer of the respective County, Riding, Liberty, Division, Corporation, or Franchise, on his passing his Accounts: And whereas it frequently happens that the High or Chief Constables have not a Sum of Money in their Hands, sufficient to answer the said Expences; be it therefore enacted by the Authority aforesaid, That all Rogues, Vagabonds, and incorrigible Rogues, sent by Passes from one County, Riding, Division, Corporation, or Franchise, into any other County, Riding, Division, Corporation, or Franchise, shall be delivered to the Constable or other such Officer, of the first Town, Parish, or Place in the next County, Riding, Division, Corporation, or Franchise, and shall be by such Constable or other such Officer, conveyed forward in the Manner by the said Act

Act 17 *Geo.* II.

Vagrants passed from one County to another, how to be conveyed forwards.

The Expences to be paid by the Treasurer of the County,

directed and prescribed, and not otherwise; and that it shall and may be lawful for the Treasurer of each County, Riding, Division, Corporation, or Franchise, and he is hereby required to pay to such Constable or other Officer, the Charges of conveying such Rogues, Vagabonds, and incorrigible Rogues, upon such Constable or other Officer producing to him the Certificate and such other Vouchers as are required by the said Act to be delivered to such High or Chief Constables; and the Sums so paid shall be allowed by the Justices of the Peace to such Treasurer in his Accounts, on his producing the Vouchers aforesaid, together with the Receipt of the said Constable; any thing in the said Act contained to the contrary notwithstanding.

and to be allowed him in his Accounts.

And whereas the Prison of the Marshalsea of the Court of King's Bench, is in its present Condition unsafe for the Custody, and dangerous to the Health of the Prisoners, which Inconveniencies cannot be remedied, unless the said Prison be repaired or rebuilt: And whereas it will be necessary to have some proper and convenient Place or Places provided for the Reception of the Prisoners in the mean Time, whereupon Doubts may arise concerning the Legality of the Imprisonment of such Prisoners, in such other Place or Places: Therefore to prevent such Doubts; be it enacted and declared by the Authority aforesaid, That until the said Prison shall be sufficiently repaired or rebuilt, it shall and may be lawful to and for the Marshal of the Marshalsea of the said Court of King's Bench for the time being, to detain and keep the Prisoners committed or to be committed to his Custody, in such other proper and convenient Place or Places, as shall, from time to time, be approved of for that Purpose by the said Court; any Law or Usage to the contrary notwithstanding.

Marshal of the *Marshalsea* of the Court of *King's Bench*, may secure the Prisoners in any Place approved by the Court, till the Prison be repaired, or rebuilt.

Recital of Clauses in Act 24 *Geo.* II. *&c.*

And whereas within the City of Chester, the usual and accustomed Time of the annual Meeting and Assembly of the Citizens of the said City, for the Election of the Mayor, Sheriffs, Treasurers, Coroners, and Leavelookers of the same City, hath been on the Friday next after the Feast Day of Saint Dennis yearly: And whereas by an Act of Parliament made in the Twenty fourth Year of the Reign of his present Majesty, (intituled, An Act for regulating the Commencement of the Year, and for correcting the Calendar now in Use) it was among other Things enacted, That all Meetings and Assemblies of any Bodies Politick or Corporate, either for the Election of any Officers or Members thereof, or for any such Officers entering upon the Execution of their respective Offices, or for any other Purpose whatsoever, which by any Law, Statute,

Charter, Custom, or Usage within this Kingdom, were to be holden and kept on any fixed or certain Day of any Month, should from and after the Second Day of September, One thousand seven hundred and fifty two, be holden or kept upon, or according to the same respective Nominal Days and Times, whereon or according to which the same were at the Time of making the said Act, to be holden: And whereas by the said recited Act it was further enacted, That the holding and keeping of all Markets, Fairs, and Marts, whether for the Sale of Goods or Cattle, or for the hiring of Servants, or for any other Purpose, which are either fixed to certain Nominal Days of the Month, or depending upon the beginning, or any certain Day of any Month, and all Courts incident or belonging to, or usually holden or kept, with any such Fairs or Marts fixed to such certain Times as aforesaid, should not from the said Second Day of September, One thousand seven hundred and fifty two, be continued upon or according to the Nominal Days of the Month, or the Time of the beginning of any Month, to be computed according to the New Calendar, in the said recited Act mentioned, but that from and after the said Second Day of September, all such Markets, Fairs, and Marts, as aforesaid, and all Courts incident or belonging thereto, should be holden or kept upon, or according to the same Natural Days, upon or according to which the same should have been so kept or holden, in case the said recited Act had not been made; that is to say, Eleven Days later than the same would have happened, according to the Nominal Days of the said New Supputation of Time, by which the Commencement of each Month, and the Nominal Days thereof, are anticipated or brought forward, by the Space of Eleven Days; any thing in the said recited Act contained to the contrary thereof in any wise notwithstanding: And whereas before the making of the said recited Act, One of the annual Fairs within the said City, commonly called Michaelmas Fair, was begun to be holden and kept yearly, on the Twenty ninth Day of September, and continued for several Days afterwards, and pursuant to the Directions of the said recited Act, the same Fair will hereafter begin to be holden and kept on the Tenth Day of October yearly, which is the Day next after the Feast of Saint Dennis, by which Means the Friday next after the said Feast will always hereafter happen, during the Time of holding and keeping the said Fair; and therefore it would be very inconvenient to the Citizens of the said City of Chester, if the annual Meeting and Assembly of the said Citizens

for

for the Election of the Mayor, and the aforesaid other annual Officers of the said City, should continue to be holden on the Friday next after the said Feast of Saint Dennis: For preventing whereof, be it enacted by the Authority aforesaid, That the annual Meeting and Assembly of the said Citizens for the Election of the Mayor and other the aforesaid annual Officers of the said City of Chester, shall not at any Time hereafter be holden on the Friday next after the said Feast of Saint Dennis, but the same, and all annual Meetings and Assemblies for that Purpose, shall at all Times hereafter be holden in the usual and accustomed Manner on the Friday next after the Twentieth Day of October in every Year, and not before; any thing in the said recited Act of Parliament, or any Law, Statute, Charter, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

The annual Meeting for the Election of Mayor and other Officers of the City of *Chester*, to be held on the *Friday* next after 20 *October* yearly.

FINIS.

Anno Regni GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

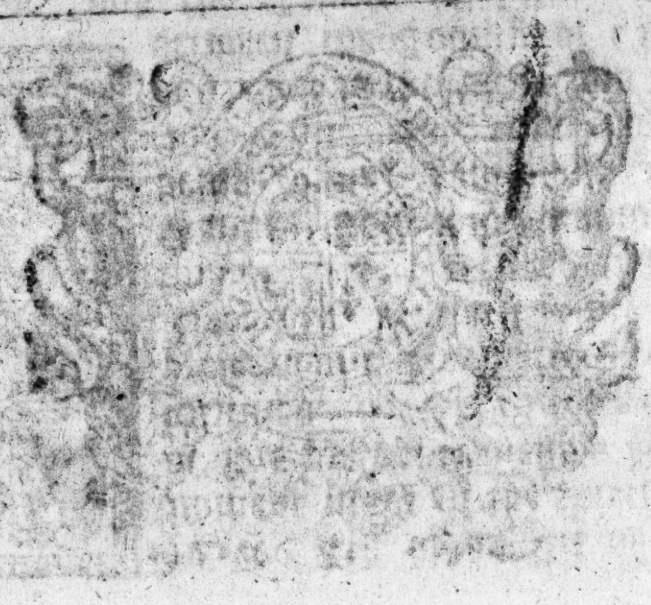
At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.

LONDON



Anno vicesimo sexto

Georgii II. Regis.

An Act for confirming an Agreement entered into between the Company of Proprietors of the undertaking for recovering and preserving the Navigation of the River *Dee*, and Sir *John Glynne* Baronet, Lord of the Manor of *Hawarden*, and several Freeholders and Occupiers of Land within the said Manor; and for explaining and amending Three several Acts of Parliament of the Sixth, Fourteenth, and Seventeenth Years of His present Majesty's Reign, for recovering and preserving the Navigation of the said River *Dee*.

WHEREAS by an Act of Parliament made in the Sixth Year of His present Majesty's Reign, intituled, An Act to recover and preserve the Navigation of the River *Dee*, in the County Palatine of *Chester*, reciting that the Sands, Soil, and Ground, not being Grass, commonly called The White Sands, from the City of Chester to the Sea, and lying between the County of Chester on the North Side, and the County of Flint on the South Side, were of great Breadth in most Places; and that the said River not being navigable, was chiefly owing to the Breadth of the said Sands, and to the shifting of the Channel from one Side thereof to the other, as the Winds and Tide varied; and that the said Sand, Soil, and

Preamble reciting the Act 6 *Geo.* II.

and Ground, commonly called The White Sands, were not, nor was likely to be of any Advantage or Benefit to any Person whatsoever, unless the said River was bounded in, and made navigable by Sea Walls, Banks, and Fences, which would require a very great Expence, as well to erect, as to maintain and repair, from time to time, as Occasion should require; but that yet nevertheless, if the said Sands, Soil, or Ground, commonly called The White Sands, were recovered from the Sea by Sea Walls, Banks, and Fences, as aforesaid, and the Channel thereby confined to One certain Course, it would not only effectually make the said River navigable, but that vesting the said White Sands in the Undertakers, would be a considerable Encouragement to the undertaking thereof; Nathaniel Kinderly in the said Act named, his Heirs and Assigns, and such Person or Persons, as he or they should nominate and appoint, were appointed Undertakers of the said Navigation, and authorized and impowered, at their own Costs and Charges, to make and keep the said River Dee navigable, from the Sea to a certain Point within the Liberties of the City of Chester, called Wilcox Point, in such Manner that there should be Sixteen Foot Water in every Part of the said River, at a moderate Spring Tide, for Ships and Vessels to come and go to and from the said City; and as a Recompence for the same, certain Rates of Tonnage were on the Terms therein mentioned, granted by the said Act to the said Nathaniel Kinderly, his Heirs, Assigns, or Nominees; and as a further Recompence for the Expence which the said Undertakers should be at in making the said River navigable, certain Lands, Marshes, and Salt Grass, and other Lands therein mentioned, were so soon as the said River should be made navigable, vested in the said Nathaniel Kinderly, his Heirs, Assigns, or Nominees for ever, to the Use of the said Nathaniel Kinderly, his Heirs, Assigns, or Nominees for ever, under the Provisoes and Conditions in the said Acts mentioned: And whereas the said Nathaniel Kinderly, and his Assigns or Nominees, Undertakers of the said Navigation, began the said Undertaking, and made a new Channel for the said River Dee, through the adjacent Sands and Marshes, near Ten Miles in Length; and the said River was in the Month of April, One thousand seven hundred and thirty seven, turned into the said new Channel, and hath ever since continued to run through the same; and ever since that Time, Ships and Vessels of considerable Burthen have sailed and navigated through the said new Channel, up to the said Point called Wilcox Point; and the said Undertakers

takers did before the Twenty first Day of March, One thousand seven hundred and forty, finish the said Undertaking, in making the said River navigable, according to the Intent and true Meaning of the said recited Act of the Sixth Year of His Majesty's Reign; And whereas by One other Act of Parliament made in the Fourteenth Year of His Majesty's Reign, intituled, An Act for incorporating the Undertakers of the Navigation of the River *Dee*; it was (amongst other Things) enacted, That the several Persons therein named Proprietors of the Undertaking for recovering and preserving the Navigation of the said River Dee, and the Representatives of such of the Subscribers to the Indenture or Deeds Poll therein mentioned, as were dead, their several and respective Successors, Heirs, and Assigns, should be erected into One Company for the Purposes aforesaid, and be incorporated by the Name of The Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River *Dee*, and have Power to do all such Acts as the said Nathaniel Kinderly, his Heirs, Assigns, or Nominees, might have done, or were impowered to do, by virtue of the said Act of the Sixth Year of His present Majesty, and to take and receive all such Duties, Connage Dues, and Payments whatsoever, as the said Nathaniel Kinderly, his Heirs, Assigns, or Nominees, were impowered to do by the said Act, and to embank, inclose, improve, and apply to the Use of the said Company, the White Sands, Soil, and Ground, and other Lands whatsoever, by the said Act vested in the said Nathaniel Kinderly, his Heirs, Assigns, and Nominees, upon the Terms and Conditions in the said Act mentioned, in the same Manner as the said Nathaniel Kinderly, his Heirs, Assigns, or Nominees, might have done, subject to the Limitations, Conditions, and Restrictions in the said Act mentioned: And whereas the Connage Rates, and Duties, appointed to be paid by the said Act of Parliament of the Sixth Year of His present Majesty, being by Experience found to be too high, and to be a Discouragement to the Trade of the said City of Chester, by One other Act of Parliament made in the Seventeenth Year of his present Majesty's Reign, intituled, An Act for explaining and amending an Act passed in the Sixth Year of His present Majesty's Reign, intituled, An Act to recover and preserve the Navigation of the River *Dee* in the County Palatine of *Chester*, and another Act passed in the Fourteenth Year of His present Majesty's Reign, intituled, An Act for incorporating the Undertakers of the Navigation of the River *Dee*; and for repealing the Ton-

14 *Geo.* II.

17 *Geo.* II.

nage Rates, payable to the said Undertakers; and for granting to them other Tonnage and Keelage Rates in lieu thereof; and for other Purposes therein mentioned; the said Tonnage Rates payable to the said Undertakers were repealed, and new Rates granted and appointed to be paid to them in lieu thereof, and it was by the same Act of the Seventeenth Year of His present Majesty's Reign, further provided and enacted, That nothing therein, or in the said Acts of the Sixth and Fourteenth Years of His present Majesty's Reign, or either of them contained, should extend to be deemed or construed to extend, to hinder or restrain Sir John Glynne Baronet, Lord of the Manor of Hawarden, in the County of Flint, his Heirs or Assigns, or any other of the Proprietors of Lands, Grounds, or Salt Marshes, within the said Manor of Hawarden, or any other Person or Persons having or being intitled to Right of Common thereon, their Heirs or Assigns, from having, using, or enjoying, the Lands, Grounds, or Salt Marshes, lying on either Side of the Banks and Forelands of the said new Channel made by the said Undertakers, which were greensword or grassed over, at the Time of passing the said Act of the Sixth Year of His Majesty's Reign, and not vested in the said Nathaniel Kinderly, his Heirs or Assigns, or Nominees, or in the said Company of Proprietors of the Undertaking, for recovering and preserving the Navigation of the River Dee, by virtue of the aforesaid Acts of the Sixth and Fourteenth Years of His present Majesty's Reign, or of that Act, or from taking all the Rents, Issues, and Profits thereof, or from having and enjoying such Right of Common as aforesaid thereon, and all the Rights, Liberties, and Privileges thereto belonging, according to his and their respective Estate, Right, Title, or Interest therein, in such Manner, and with the like Benefit and Advantage, as he or they could, might, or ought to have had or done, in case that or the said before mentioned Acts had never been made, so as such Enjoyments, Rights, Liberties, and Privileges, did not infringe upon, or derogate from the Powers given to the said Undertakers, for completing and preserving the said Navigation, and recovering from the Sea the said White Sands by that Act, or by the said Act of the Sixth Year of His present Majesty: And whereas since the making the said last-mentioned Act, several Doubts and Differences have arisen between the said Company, and the said Sir John Glynne, and several other of the Proprietors of Lands, and Persons intitled to Common in the Salt Marshes

within the said Manor of Hawarden, touching the Extent of the Lands, Grounds, or Salt Marshes, lying on the North Side of the said New Channel, made by the said Undertakers, which were greenswerd or grassed over, at the Time of passing the said Act of the Sixth Year of His Majesty's Reign, and not vested in the said Company, and several Suits were in or about the Year One thousand seven hundred and forty seven commenced, and are still depending between the said Parties in relation thereto: And whereas in order to put an End to all Disputes that have or otherwise might arise between the said Company, and the said Sir John Glynne, and the Freeholders and other Persons intitled to Common within the said Manor, in relation to the Premisses, and to any Damages which have been or may be occasioned to all or any Part of the Lands or Marshes within the said Manor, on the South Side of the said New Channel, by reason of the said Works of Navigation, Articles of Agreement have been lately made, and entered into, by and between the said Company of Proprietors of the Undertaking, for recovering and preserving the Navigation of the River Dee, of the One Part, and the said Sir John Glynne of Hawarden in the County of Flint Baronet, Lord of the Manor of Hawarden, and the several other Persons whose Hands and Seals are thereunto subscribed, Freeholders and Occupiers of Land, within the said Manor, on behalf of themselves and all other Persons having a Right of Commoning upon the Waste Lands, Commons, and Salt Marshes, within the said Manor of the other Part, in the Words or to the Effect following; That is to say, Articles of Agreement indented, made, concluded, and agreed upon, this Seventeenth Day of February, in the Twenty sixth Year of the Reign of our Sovereign Lord George the Second, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith and so forth, and in the Year of our Lord One thousand seven hundred and fifty three, between the Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, of the One Part, and Sir John Glynne of Hawarden in the County of Flint Baronet, Lord of the Manor of Hawarden, and the several other Persons whose Hands and Seals are hereunto subscribed, Freeholders and Occupiers of Land within the said Manor, on behalf of themselves and all other Persons having a Right of Commoning upon the Waste Lands, Commons, and Salt Marshes, within the said Manor, of the

Articles of Agreement entered into between the Company of Proprietors of the said Undertaking, and Sir *John Glynne*, &c.

the other Part; Imprimis, It is hereby mutually covenanted, concluded, and agreed, by and between the said Parties hereunto, that from and after such Time as the said Company of Proprietors of the Undertaking, for recovering and preserving the Navigation of the River Dee, shall give Notice in Writing under their Common Seal, by advertising the same in the London Gazette, and by affixing Copies thereof, at or upon the Castle Gate at Chester, and the Church Door of the Parish of Hawarden, of their Intention of taking Possession of the Waste Lands, Commons, and Salt Marshes on the North Side of the New Channel, all and every the Waste Lands, Commons, and Salt Marshes, within the said Manor of Hawarden, lying on the North Side of of the Banks and Forelands of the said New Channel, shall for ever thereafter be the Property of, and be vested in the said Company of Proprietors of the Undertaking, for recovering and preserving the Navigation of the River Dee, and their Successors, to the only Use and Behoof of the said Company, and their Successors, for ever freed and discharged from all Right of Common or other Claim and Demand whatsoever (except as hereinafter is excepted) of the Lord or Freeholders of the said Manor, or any other Person in, over, or upon the same; and that all such Right of Common or other Claims or Demand (except as aforesaid) in, over, and upon the same, or any Part thereof, shall from thenceforth cease, determine, and be extinguished: And that in Consideration thereof the said Company or Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, and their Successors, shall, from and after taking Possession of the said Waste Lands, Commons, and Salt Marshes, for ever thereafter well and truly pay or cause to be paid to the said Sir John Glynne, and such other Persons as shall be nominated and appointed Trustees for that Purpose, by the major Part of the Subscribers hereto, and to such succeeding Trustees, as upon the Decease of all or any of the said first Trustees, shall from time to time be nominated and appointed in their Stead, and to their Successors for ever (to be by them paid and applied to some publick Uses for the Benefit of the Lord and Freeholders of the said Manor of Hawarden) the clear yearly Sum of Two hundred Pounds of lawful Money of Great Britain, by Two even half-yearly Payments, the First Payment thereof to begin and to be made at the End of Six Months, from the Time the said Company, or their Successors, shall enter upon and take Possession of such Waste Lands, Commons, and Salt Marshes;

and it is hereby declared and agreed, That the said Annual Sum of Two hundred Pounds shall for ever thereafter be charged and chargeable on the Lands of the said Company, and it shall be lawful for the said Sir John Glynne, and the other Trustees to be nominated as aforesaid, to come into and upon all and every the Lands of the said Company, and to distrain for the said annual Sum of Two hundred Pounds, when and as often as the same or any Part thereof shall be in Arrear; and for want of sufficient Distress or Distresses to be found on the same, then to enter into such Part of the Waste Lands, Commons, and Salt Marshes, on the North Side of the said new Cutt now belonging to the said Lord and Freeholders, as is hereby intended to be granted to and vested in the said Company; Item, whereas it has been proposed by the said Sir John Glynne, and the other Subscribers hereto, that for the Preservation of the Waste Commons and Salt Marshes, on the South Side the said new Cutt, and to prevent the same from being overflowed, gulled, worn, or washed away, a new Cop or Bank should be made on the South Side the said River, with One or more Sluice or Sluices or Flood-gates therein, for letting off the Waters into the said River, and the said Sir John Glynne and the other Subscribers have undertaken to erect and make such new Bank and Sluices, and to keep the same in Repair, having an Allowance made them by the said Company for the same; it is hereby further agreed, That the said Sir John Glynne, and the other Trustees to be nominated as aforesaid, shall make and perfect another Cop or Bank on the South Side of the said new Cutt or Channel, at some little Distance from the present Bank, and on the same Side, and in a parallel Line therewith, of such Length, Height, and Breadth, and in all other Respects agreeable to the Plan thereof hereunto annexed and marked with the Letter (A) and which intended Bank is therein marked with a red Line, and begins at (A) and extends to (B) and (C) in the same Plan set forth: And also shall and will erect and perfect One or more good and sufficient Sluice or Sluices or Flood-gates in the said Bank so agreed to be made as aforesaid, for the letting off the Waters from the said last-mentioned Waters, Commons, and Salt Marshes, into the said new Cut or Channel, of such Dimensions and Form, and in all other Particulars agreeable to the Plan thereof for that Purpose hereunto also annexed, and marked with the Letter (B) and also shall and will, from time to time, and at all Times hereafter, from and after making and perfecting such new Bank and Sluices, keep and maintain the same

in good and sufficient Repair; and that in Consideration thereof, and towards carrying on the said Bank and Sluice or Sluices, the said Company of Proprietors or their Successors, shall well and truly pay or cause to be paid to the said Sir John Glynne, and to the other Trustees to be nominated as aforesaid, the Sum of Six hundred Pounds of lawful Money of Great Britain, by Three equal Payments, the First Payment thereof to begin and to be made at the entering upon and beginning the Work of the said new Bank; the Second Payment on the finishing the Sluice or Sluices; and the last Payment on finishing the whole Work; and also the yearly Sum of Fifty Pounds of like lawful Money, for the maintaining and keeping the said new Bank and Sluice or Sluices in Repair, and for the Preservation of the Waste, Commons, and Salt Marshes, on the South Side the said new Cut, from any Damages that may happen by reason of the Flux and Reflux of the Tides; the First Payment thereof to begin and to be made at the End of Twelve Months after such Work shall be made and perfected as aforesaid; and which yearly Sum of Fifty Pounds, and all Savings which shall, from time to time, arise therefrom, the said Sir John Glynne, and the other Trustees, shall be obliged to lay out, if necessary, for the Purposes aforesaid, and no more: And it is hereby also agreed, That the said annual Sum of Fifty Pounds shall, for ever hereafter, be charged and chargeable on the Lands of the said Company; and it shall be lawful for the said Sir John Glynne, and the other Trustees, to be nominated as aforesaid, to come into and upon all and every of the Lands of the said Company, and to distrain for the said annual Sum of Fifty Pounds, when and as often as the same, or any Part thereof, shall be in Arrear: And it is hereby further declared and agreed, That in Consideration of the Payment of the said Sum of Six hundred Pounds, and the said yearly Sum of Fifty Pounds, the said Company of Proprietors, and their Successors, shall for ever after be freed and discharged from paying or making good any Damages that hitherto have happened, or hereafter may happen, to the common Salt Marshes within the said Manor of Hawarden; Item, the said Parties hereby mutually agree, That Application shall be made with all convenient Speed to obtain an Act of Parliament for confirming this Agreement, and carrying the same into Execution; and to the obtaining such Act, both Parties agree to consent; and that there shall be inserted in such Act, all such Clauses as shall be thought reasonable for the better securing of

the

the respective Rights and Interests of the Parties hereto, and carrying this Agreement into effectual Execution; and that all Fees and Expences attending the obtaining and passing such Act in either House of Parliament, shall be paid by the said Company of Proprietors; but that all Fees and Charges of Council, Sollicitors, and Witnesses, other than as aforesaid, shall be paid by Persons employing or producing the same: Provided always, That in case such Act of Parliament shall not pass for the Purposes aforesaid, within Eighteen Months from the Date hereof, that then, and in such Case, this present Agreement, and every thing herein contained, shall cease and be void; in Witness whereof, the said Company of Proprietors have caused their Common Seal to be hereunto affixed; and the said Lord and Freeholders have hereunto set their Hands and Seals the Day and Year first above written: And whereas the executing and effecting the said Agreement, would be for the mutual Benefit of the said Company, and of all Persons interested in, or intitled unto, the said Lands, Grounds, or Salt Marshes within the said Manor, or to the Right of Common therein, and the great Expences which would necessarily attend the further Prosecution of the Suits that have arisen, and are still depending between the Parties, will thereby be prevented; but such Agreement cannot be rendered effectual to answer the Intention of the Parties, without the Aid and Authority of an Act of Parliament; May it therefore please Your most Excellent Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Articles of Agreement so made and entered into by and between the said Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, and the said Sir John Glynne, Lord of the Manor of Hawarden, and the several other Persons, Freeholders and Occupiers of Land within the said Manor, having a Right of Commoning upon the Waste Lands, Commons, and Salt Marshes within the said Manor, and herein before set forth and recited, and every Article, Clause, Covenant, and Agreement, Matter and Thing, therein inserted and contained, shall be, and the same are hereby, ratified, established, and confirmed, according to the Tenor, Purport, and true Meaning of the same, as fully and effectually, to all Intents and Purposes, as if the same had been hereby expressly and particularly enacted.

The recited Articles of Agreement confirmed.

And,

Right of Common to ceale when the Undertakers shall give Notice of their Intention of taking Possession of the Waste Lands on the North Side of the New Channel.

And, in order to render the said Articles more effectual for the Purposes thereby intended, it is hereby further enacted, That from and after such Time as the said Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, shall give Notice in Writing under their Common Seal, by advertising the same in the London Gazette, and by affixing Copies thereof at or upon the Castle Gate at Chester, and the Church Door of the Parish of Hawarden, of their Intention of taking Possession of the Waste Lands, Commons, and Salt Marshes, on the North Side of the New Channel, all and every the Waste Lands, Commons, and Salt Marshes within the said Manor of Hawarden, lying on the North Side of the Banks and Forelands of the said New Channel, shall, for ever thereafter be the Property of, and be vested in, the said Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, and their Successors, to the only Use and Behoof of the said Company, and their Successors, for ever freed and discharged from all Right of Common, or other Claim and Demand whatsoever (except as herein after is excepted) of the Lord or Freeholders of the said Manor, or any other Person, in, over, or upon the same; and that all such Right of Common, or other Claims or Demands (except as aforesaid) in, over, and upon the same, or any Part thereof, shall from thenceforth cease, determine, and be extinguished;

Undertakers to pay 200 *l. per Annum* in Consideration thereof,

and that in Consideration thereof, the said Company of Proprietors of the Undertaking for recovering and preserving the Navigation of the River Dee, and their Successors, shall, from and after taking Possession of the said Waste Lands, Commons, and Salt Marshes, for ever thereafter well and truly pay, or cause to be paid, to the said Sir John Glynne, and such other Persons as are or shall be, from time to time, the Trustees for that Purpose, the clear yearly Sum of Two hundred Pounds of lawful Money of Great Britain, in the said recited Articles of Agreement mentioned, by Two even Half-yearly Payments; the First Payment thereof to begin, and to be made at the End of Six Months from the Time the said Company, or their Successors shall, as aforesaid, enter upon and take Possession of such Waste Lands, Commons, and Salt Marshes; which said Yearly Sum of Two Hundred Pounds shall, by the said Trustees for the time being, and their Successors, be paid and applied for the Use and Benefit of the Lord of the said Manor, and the Persons having a Right of Common in or upon the said Common Salt Marshes lying within the said

for the Benefit of the Lord and Freeholders of *Hawarden*.

Manor of Hawarden, in such Manner as the said Trustees, or any Five or more of them, whereof the Lord of the said Manor, or in case of his Infancy, or other Incapacity or Disability, or for want of a Lord, the Rector of the said Parish of Hawarden for the time being, shall be One, at any publick Meeting or Meetings to be had, upon Notice thereof to be inserted in the London Gazette, or some other Publick News Paper, and to be affixed in Writing at or upon the Church Door of the Parish of Hawarden aforesaid, Fourteen Days at least before the Time appointed for such Meeting or Meetings, shall from time to time direct or appoint, and to or for no other Use or Purpose whatsoever; and the same shall be deemed and taken, and is hereby declared to be a Payment and Application of the said Money for the Benefit of the Lord and Freeholders of the said Manor of Hawarden, from time to time, according to the true Intent and Meaning of the said recited Articles of Agreement in that Behalf.

The annual Sums of 200*l.* and 50*l.* charged on the Lands of the Undertakers;

And it is hereby enacted and declared, That the said annual Sum of Two hundred Pounds, shall for ever thereafter, and also the said yearly Sum of Fifty Pounds, from the Time that the same, according to the said Articles of Agreement shall become payable, shall be charged and chargeable on the Lands of the said Company; and that it shall be lawful for the said Sir John Glynne, and the other Trustees for the time being, or any Five of the said Trustees, whereof the Lord of the said Manor, or in case of his Infancy, or other Incapacity or Disability, or for want of a Lord, the Rector of the said Parish of Hawarden for the time being, to be One, or any Person to be by the said Trustees, or by any Five or more of them (whereof the Lord of the said Manor, or in case of his Infancy, or other Incapacity or Disability, or for want of a Lord, the Rector of the said Parish of Hawarden for the time being to be One) authorized or impowered for that Purpose for and in the Name of the said Trustees, to come into and upon all and every the Lands of the said Company, and to distrain for the said Two annual Sums of Two Hundred Pounds, and Fifty Pounds respectively, or either of them, when and as often as the same respectively, or either of them, or any Part thereof respectively, shall be in Arrear; and for want of sufficient Distress or Distresses to be found on the same for levying the said annual Sum of Two hundred Pounds, and the Arrears thereof, then to enter into such Part of the Waste Lands, Commons, and Salt Marshes on the North Side of the said new Cutt now belonging to the said Lord and Freeholders,

and which may be distrained for the same, &c.

ers, as is hereby, or by the ſaid recited Articles of Agreement, granted to or veſted, or intended to be veſted in the ſaid Company; and the ſaid Company of Proprietors are hereby impowered from time to time to pay to ſuch ſaid Five Truſtees, or to the ſaid Perſon ſo to be appointed and authorized as aforeſaid, the ſaid Two yearly Sums of Two hundred Pounds and Fifty Pounds, or any Part thereof, whoſe Receipt ſhall be a good Diſcharge for the ſame.

Truſtees Names.

And it is hereby enacted and declared, That the ſaid Sir John Glynne, Lord of the ſaid Manor of Hawarden; and Richard Williams Clerk, the preſent Rector of the ſaid Pariſh of Hawarden; and Sir Robert Groſvenor, and Sir Thomas Moſtyn, Baronets; Philip Henry Warburton, Thomas Saluſbury, John Stanley, Maſſey Bagot Read, Thomas Slaughter, Ralph Whitley, Thomas Hughes, Edward Lloyd of Pengwern, John Kelſall Eſquire, Hugh Thomas Clerk, John Chrachley, Richard Groſvenor, Thomas Whitley, Owen Brereton, Robert Davies, Ellis Young, Robert Wynne of Mold, John Wynne of Soughton, and George Hope, Eſquires; who have by the major Part of the Subſcribers to the ſaid recited Articles of Agreement, been nominated and appointed Truſtees for the Purpoſes in the ſaid Articles mentioned, are and ſhall be the Firſt Truſtees for the Purpoſes in the ſaid Articles in that Behalf mentioned; and that the Lord of the ſaid Manor of Hawarden, and the Rector of the ſaid Pariſh of Hawarden, for the time being, ſhall always be Two of the ſaid Truſtees; and that upon the Death, Reſignation, or Refuſal to act in the Truſt of, or by any of the ſaid Truſtees, as well of thoſe herein before named, other than and beſides the Lord of the ſaid Manor, and the Rector of the ſaid Pariſh, as of any Truſtees hereafter to be nominated or appointed in purſuance of this Act, ſome other fit and proper Perſon ſhall, by the ſurviving Truſtees, or by the major Part of them preſent at a publick Meeting to be had for that Purpoſe, upon Notice thereof to be inſerted in the London Gazette, or ſome other publick News Paper, and to be affixed in Writing at or upon the Church Door of the ſaid Pariſh of Hawarden, Fourteen Days at leaſt before the Time appointed for ſuch Meeting, be nominated and appointed to ſucceed ſuch Truſtee ſo dying, reſigning, or refuſing to act, and ſo, from time to time, as often as any of the ſaid Truſtees ſhall happen to die, reſign, or refuſe to act, ſo that the Truſtees may always be kept up to the Number of Thirteen, beſides the Lord of the ſaid Manor and Rector of the ſaid Pariſh for the time being.

New Truſtees to be choſe in the Room of ſuch as ſhall die, reſign, or refuſe to act, and Notice to be given thereof.

And

And it is hereby further enacted, That all Savings of the said annual Sum of Fifty Pounds, if any shall be, above what from time to time shall be necessary to be laid out for the Purposes in the said Articles in that Behalf mentioned, shall, from time to time, as often as the same shall amount to One hundred Pounds, be laid out in the Names of the said Trustees for the time being, or the major Part of them, whereof the Lord of the said Manor, and the Rector of the said Parish for the time being, to be Two, in or upon Government Securities, as the said Trustees, or the major Part of them, whereof the Lord of the said Manor, or in case of his Infancy, or other Incapacity or Disability, or for want of a Lord, the Rector of the said Parish of Hawarden for the time being, to be One, shall order or direct, for the Improvement thereof, as a Fund for the Purposes for which the said annual Sum of Fifty Pounds is, by and according to the said Articles, to be applied.

Savings of the annual Sum of 50*l.* to be a Fund for the Purposes mentioned in the Articles.

Provided always, and it is hereby declared, That nothing herein contained shall extend, or be construed to extend, to discharge the said Company or their Successors, from continuing and preserving the Navigation of the said River on the South Side thereof; and that the said Bank and Sluices so to be erected pursuant to the said Articles, are meant and intended only for the Service and Preservation of the said Flakes, Commons, and Salt Marshes, on the South Side of the said Channel, and to prevent the same from being gulled, worn, or washed away by the Flux and Reflux of the Tides in and through the same.

Undertakers to preserve the Navigation of the River on the South Side thereof.

Provided always, and it is hereby declared, That all such Costs, Charges, and Expences, as the Subscribers to the said Articles, or any of them, and the said Trustees, or any of them, have been or shall be at or put unto, in or about the preparing the said Articles of Agreement, and the passing of this Act respectively, or in or about the Trust or Powers given to or vested in the said Trustees by this Act, shall and may in the First Place be deducted and retained out of the said annual Sum of Two hundred Pounds, as the same shall become due and be paid.

Expences of preparing the Articles, and of passing this Act, to be paid out of the said annual Sum of 200*l.*

And for the better Preservation and Security of the said Bank to be erected pursuant to the said Articles, and of the Banks already erected, or hereafter to be erected by the said Company of Proprietors, within the Compass and Limits of the Works of Navigation; be it enacted by the Authority aforesaid, That no Person or Persons shall ride, lead, or drive, any Horse, Mare, Mule, Gelding,

No Person to ride or drive Cattle over the Banks, but at the Ferries,

ing, or other Beast or Cattle, along or upon such Bank or Banks, nor across the same, at any other Place or Places, than at the Ferries or other Places appointed and laid out for that Purpose; and every Person so offending, shall forfeit and pay the Sum of Five Shillings; One Moiety whereof shall go to the Informer, and the other Moiety to the Use of the Poor of the Parish where the said Offence shall be committed; the same to be levied by Distress and Sale of the Goods of such Offender, by Warrant under the Hand and Seal of any Justice of the Peace of the County where such Offence shall be committed, who is hereby impowered and required to hear and determine the same, by and upon the Oath of One Witness.

on Penalty of 5*l*.

And in order that all Persons interested in, and who may hereafter claim under the said Articles of Agreement, may have Recourse to the said Articles, and to the Plans thereunto annexed, and to the Notice in Writing to be given by the said Company, of their Intention of taking Possession of the Waste Lands, Commons, and Salt Marshes, on the North Side of the said new Channel, in pursuance of the said Articles, it is hereby further enacted, That the said original Articles of Agreement herein before set forth, and the Plans thereunto annexed, shall and may be deposited and left with the Clerk of the Peace of the County of Chester, to be by him kept among the Records of the Sessions of the Peace of the County of Chester; and that the said Company, and their Successors, do and shall within Three Months after such Time as the said Company shall, pursuant to the said Articles, have given Notice in Writing under their Common Seal, of their Intention of taking Possession of the Waste Lands, Commons, and Salt Marshes, on the North Side of the said new Channel, transmit a true and exact Copy of such Notice, under the Common Seal of the said Company, to the Clerk of the Peace of the said County of Chester, to be by him inrolled and kept among the Records of the Sessions of the Peace for the said County, and any Copy thereof made out and attested by the Clerk of the Peace of the County of Chester for the time being, shall be taken, adjudged, and deemed good and sufficient Evidence and Proof in any Court of Law or Equity, of the said Company's having given Notice in Writing, under their Common Seal, of their Intention of taking Possession of the Waste Lands, Commons, and Salt Marshes, on the North Side of the said new Channel, and of such Notice having been advertized in the London Gazette, and of Copies thereof having been affixed at or upon the Castle Gate at Chester, and the Church Door of the Parish of

The Articles of Agreement to be lodged with the Clerk of the Peace at *Chester*, and kept amongst the Records of the Court;

and the Notice of the Undertakers for taking possession of the Commons, &c.

Hawarden, pursuant to the true Intent and Meaning of the said Articles of Agreement, to which Articles, Plans, and Notice, in the Custody of the Clerk of the Peace, all Persons may have Recourse gratis; and the said Clerk of the Peace for the time being is hereby required to make out and deliver Copies thereof to any Person or Persons desiring the same, such Person or Persons paying for every such Copy, not exceeding Two hundred Words or Figures, Six Pence, and so proportionably for any greater or lesser Number of Words or Figures.

Clerk to give Copies thereof on Payment for the same.

And whereas the said Company have expended in the said Undertaking in making a Dam and Sluices cross the old Channel of the said River, and in cutting and making the new Channel near Ten Miles in Length, in which the same in the Year One thousand seven hundred and thirty seven was turned, and hath ever since continued to run, and in making a cross Bank and Dam, and Sluices across the said White Sands and Marshes, on the North Side of the said new Channel, in order to inn and inclose the White Sands from the Sea, and in making other Works necessary for the removing and preserving the Navigation of the said River, and in inning and inclosing the said White Sands, and in Charges necessarily attending the said Undertaking, the Sum of Sixty thousand Pounds, over and above what they have received out of the Rates or Profits of the Tonnage, or by or out of the Lands vested in them by the said several Acts of Parliament, made in the Sixth, Fourteenth, and Seventeenth Years of His present Majesty's Reign, the White Sands intended to be inclosed by the said cross Bank and Dam, having hitherto produced no Profit or Advantage to the said Company, by reason that by the Force and Violence of the Tides, the said Dam or Bank hath in several Places been broken down and destroyed, and it will require a considerable Sum of Money to repair and amend the same: And whereas by the said last recited Act of Parliament of the Seventeenth Year of His present Majesty, Power was given to the said Company assembled in a General Court, from time to time, as they should see Cause, to call in, or direct to be paid, from and by their Members for the time being, not exceeding, with the Call of Five Pounds per Centum therein mentioned, in the whole the further Sum of Forty Pounds per Centum: And whereas there remain to be called or raised of the said Sum of Forty Pounds per Centum in the said last recited Act mentioned, the Sum of Eight Pounds Ten Shillings per Centum, and there may be Occasion for the

said Company to make further Calls on their Members; be it therefore further enacted, That the said Company assembled in a General Court, shall have Power, from time to time, as they shall see Cause, to call in or direct to be paid, from and by their Members for the time being, proportionably according to their respective Shares in the Capital Stock of the said Company, any further Sum and Sums of Money as by such General Court shall from time to time be judged necessary, and be ordered to be called in or raised, not exceeding in the whole the Sum of Twenty Pounds per Centum, exclusive of, and over and besides the said Eight Pounds Ten Shillings per Centum, remaining to be called for, pursuant to the said former Act, and that all Executors or Administrators, Guardians, Trustees, and Mortgagees, shall be indemnified in paying, and are hereby impowered to pay in their respective Proportions of the Money so called for; and in case any Member or Members, their respective Executors, Administrators, Devisees, or Assigns, who hath, or shall be required to pay in Money upon any Call or Calls made, or to be made pursuant to this or the said former Acts, shall refuse or neglect to pay his, her, or their Share of the Money so called for, at the Time or Times appointed for that Purpose, by Notice inserted in the London Gazette, and upon the Royal Exchange in London, it shall and may be lawful to and for the said Company and their Successors, not only to stop the Share, Dividends, and Profits, which shall from time to time become payable by the said Company, to such Member or Members so neglecting or refusing, and apply the same from time to time for or towards Payment of the Share of Money so called for, and which ought to have been paid by such Member or Members so neglecting or refusing, until the same shall be satisfied, but also to stop the Transfers or Assignment of the Share or Shares of every such Defaulter and Defaulters, with the Interest, after the Rate of Eight Pounds per Centum per Annum, for the Money so by him, her, or them omitted to be paid, from the Time the same was appointed to be paid, until the Payment thereof; and that the Share and Stock, Shares and Stocks, of such Defaulter and Defaulters, shall be liable to make good and answer the said Monies so appointed to be paid, and the Interest thereof, as aforesaid; and in case the same Principal and Interest shall be unpaid by the Space of Three Months, then the said Company, at their Court of Committee for the time being, shall have Power to authorize such Person or Persons

Undertakers impowered to make a Call of 20 *l. per Cent.* upon their Capital, exclusive of the 8 *l.* 10 *s.* remaining to be called for.

Shares of the Defaulters,

Assignments, and Interest, to be stopt till Payment be made;

and may be sold after Three Months.

sons as they respectively shall think fit, to sell and assign so much of the said Stock or Stocks of such Defaulter or Defaulters, as will satisfy and pay the same, rendering the Overplus (if any be) to such Defaulter or Defaulters respectively; and the Money so called for, and paid in, shall be deemed Capital Stock, and shall be written in the Books of the said Company, and the respective Members paying the same, shall have Credit in the Books for their respective Proportions or Shares thereof.

The Money called in and paid, to be deemed a Capital Stock.

And be it further enacted, That the Committee of the said Company for the time being, do and shall annually lay before a General Court of the said Company, to be held at or within Fourteen Days next after Lady-day in every Year, a fair and just State of the Accounts, and Situation of the said Company's Stock and Affairs.

Committee to lay before the Company a State of the Accounts yearly.

And be it further enacted, That if any Doubt shall arise about the Exposition of this Act, the same shall be construed and taken in such Manner as shall be most beneficial and advantageous for the Purposes aforesaid, and for the enabling the said Company to preserve and continue the Navigation of the said River for ever, and for imbanking and winning from the Sea the said Marshes and White Sands, and for vesting the same in the said Company, and their Successors, according to the true Intent and Meaning of this Act, and of the said recited Acts.

Act to be expounded in the most beneficial Manner for the Purposes aforesaid.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

Publick Act.

And whereas by the said Acts of the Sixth and Seventeenth Years of His present Majesty, the Commissioners therein named, or any Thirteen or more of them, are impowered, from time to time, as Occasion shall require, to appoint and set out One or more necessary Road or Roads over the Sands, Soil, and Grounds vested in the said Company, lying on the North Side of the said New Channel; but no Mention is in either of the said Acts made, to what Breadth such Road or Roads shall be laid out or extend; be it therefore enacted by the Authority aforesaid, That no such Road or Roads, so to be set out or appointed as aforesaid, shall exceed Ninety Feet, or be under Forty Feet in Breadth, nor shall the same be laid out within Twenty Feet of the Bank of the said River.

Roads to be set out.

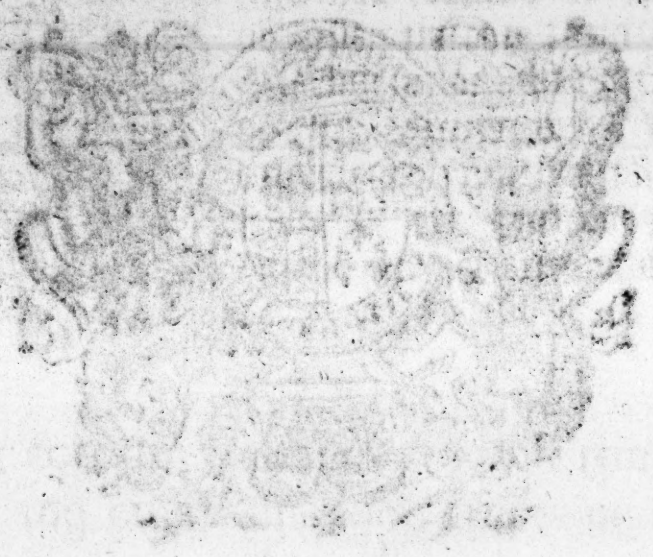
FINIS.

Anno Regni
GEORGII II.
REGIS
Magnæ Britanniæ, Franciæ, & Hiberniæ,
VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:
Printed by *Thomas Baſkett*, Printer to the King's moſt Excellent Majeſty; and by the Aſſigns of *Robert Baſkett*. 1753.



K E C I S.

GEOKCII II

Anno vicesimo sexto

Georgii II. Regis.

An Act for erecting several Publick Buildings in the City of *Edinburgh*, and to impower the Trustees therein mentioned, to purchase Lands for that Purpose; and also for widening and enlarging the Streets of the said City, and certain Avenues leading thereunto.

WHEREAS the City of Edinburgh, the Metropolis of that Part of the United Kingdom called Scotland, is by Reason of its Situation, and the Steepness of the Ascent, and by the narrow and confined Avenues leading to the Principal Street thereof, rendered difficult of Access, and the Publick hath not hitherto been possessed of proper Areas, either for erecting Buildings, or opening Streets and Places of Resort, as well for the Convenience as Ornament of the Preamble.

said City: And whereas at present there is no convenient Repository sufficient to contain the Publick Archives, Land Rights, and other valuable Securities, transmitted by the several Clerks to the Office under the Care and Keeping of the Lord Clerk Register: And whereas many of the Offices of the several Clerks of the Supreme Courts of Judicatory, are scattered in different Parts of the City, to the great Interruption of Business; and the Writings under their Custody are exposed to the Danger of Fire and other Accidents: And whereas there is no Publick Place or Exchange for the Resort of Merchants or Men of Business, nor any Town House, Hall, or Borough Room, for the annual Convention of the Boroughs of Scotland, nor Council Chamber for the Magistrates, fit for the daily Discharge of Publick Business, nor any Hall for the Clerks of His Majesty's Signet, or convenient Room for the Library belonging to the Faculty of Advocates: And whereas it will be advantageous not only to the City of Edinburgh, but to that Part of the United Kingdom called Scotland, and to the Publick in General, that a more commodious Place be provided for keeping the Publick Registers of that Part of the United Kingdom, and a Hall built for the Clerks to His Majesty's Signet, and that Offices for the Director of the Chancery, the Keepers of the Records of the Great Seal, the Privy Seal and Signet, the Clerks of Session of Justiciary and Commission for Plantation of Kirks, and Valuation of Teinds, as also Offices for accommodating the Court of Exchequer, the General Register of Seisins, Hornings, and Inhibitions, and for the Clerks of the High Court of Admiralty, and Commissaries of Edinburgh, be provided contiguous to the House commonly called the Parliament House, where the Courts of Session and Exchequer do now sit; and also that a proper House be prepared for the Advocates Library, a large Hall or Borrow Room for the Use of the Borrows of Scotland, and other Publick Meetings, with a Council Chamber for the Use of the Magistrates; and that an Exchange for the Merchants and Men of Business be also provided near the Centre of the City, and convenient Communications opened to the High Street thereof, from the North, South, and West: And whereas the Magi-

strates and Council of the City of Edinburgh have purchased several decayed Houses adjacent to the House commonly called the Parliament House, where the Courts of Session and Exchequer do now sit, with a View of providing a proper Repository for the Publick Records, and for the Advocates Library, and proper Offices, for the Director of the Chancery, the Keepers of the Great Seal, Privy Seal, and Signet, and Clerks aforesaid, and they have also purchased several decayed Houses in a Publick Place most proper for an Exchange, and have also purchased several Houses in order to make the Passage to the High Street of the City, from the Fields on the North and South more commodious: And whereas several Noblemen, many of the Members of the College of Justice, and other Gentlemen, and also the most considerable of the Incorporations of Edinburgh, sensible of the great Benefit that would accrue to the Publick, by carrying on the said Works, and at the same Time being sensible, that the City of Edinburgh is unable out of its proper Funds to undertake and accomplish the same, have for carrying on the said Design, under the Direction herein after-mentioned, agreed to contribute certain Sums of Money, and they and others may hereafter be induced to subscribe further Sums of Money for that Purpose, but such intended Improvements of the City cannot be carried into Execution without the Authority of Parliament; Your Majesty's most dutiful and loyal Subjects, the Provost, Magistrates, and Council of the City of Edinburgh, in Behalf of themselves and the Community of the said City, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, That the most Noble Archibald Duke of Argyle, the most Noble James Duke of Athole, the most Honourable John Marquis of Tweddale, the Right Honourable James Earl of Morton, the Right Honourable John Earl of Hopeton, the Right Honourable Charles Areskine, Lord Justice Clerk; the Honourable Andrew Fletcher of Milton, One of the Senators of the College of Justice; Sir Alexander Dick of Preston Field Baronet, James Dewar of Vogrie Esquire, Walter John Forrest of West

Commissioners Names.

Grange, the Right Honourable Robert Dundas, Lord President of the Court of Session; the Honourable Sir Gilbert Elliot of Minto, and the Honourable Hugh Dalrymple of Drummore Esquire, Senators of the College of Justice; the Right Honourable John Idle, Lord Chief Baron of his Majesty's Court of Exchequer; the Honourable John Maule Esquire, One of the Barons of his Majesty's Exchequer; William Alexander Esquire, Lord Provost of Edinburgh; and the Lord Provost of Edinburgh for the time being; the Right Honourable William Grant of Preston Grange Esquire, his Majesty's Advocate for Scotland; the Honourable Henry Home of Kaimes Esquire, One of the Senators of the College of Justice; Robert Craigie of Glendock Esquire, Advocate; George Drummond Esquire, One of his Majesty's Commissioners of Excise; David Flint Esquire, Dean of Gild; and the Dean of Gild of Edinburgh for the time being; Master John Brown, Master James Stewart, Merchants in Edinburgh; James Kerr of Boughtriggs Esquire, Master William Keir, Deacon Convener of the Trades of Edinburgh; and the Deacon Convener of Edinburgh for the time being; Master Alexander Sharp, and Master Gavin Hamilton, Merchants in Edinburgh; Robert Dundas the younger of Arniston Esquire, Dean of the Faculty of Advocates; Alexander Boswall of Auchinleik Esquire, and Gilbert Elliot the younger of Minto Esquire, Advocates; Master Alexander Marc Millan, Deputy Keeper of his Majesty's Signet; Master Hugh Crawford, and Master John Mac Kenzie, Clerks to the Signet, and their Successors; shall be, and they are hereby constituted and appointed Commissioners for designing, ordering, and causing to be erected, or otherwise provided, in convenient Places within the said City, such Buildings as they shall judge proper for the keeping and preserving of the publick Records, which are under the Custody, Care, and Keeping of the Lord Clerk Register; and for a proper Library-house to the Faculty of Advocates; a Hall for the Clerks to the Signet; a Town-house, a Hall, or Borrow-room, for the annual Convention of the Commissioners of the Royal Burrows of Scotland, and for the Use of the City of Edinburgh, or other Publick Occasions; and a Council Chamber for the Use of the Magistrates; as also for building and providing Offices for the Director of the Chancery, the Keepers

Publick Buildings to be designed and erected.

Keepers of the Records of the Great Seal, the Privy Seal, and Signet, the Clerks of Session of Justiciary and Commission of Tiends; as also Offices for accommodating the Court of Exchequer; and Offices for the General Register of Seisins, Hornings, and Inhibitions, and for the Clerks of the High Court of Admiralty and Commissaries of Edinburgh; and for erecting an Exchange for Merchants, and other People of Business to resort to; and for making easy and commodious Access between the High Street of the City and the Country, Northward, Southward, and Westward, to the utmost Extent of the present Royalty of the said City.

Method of choosing Commissioners in the Room of such as shall die, or resign.

And be it further enacted by the Authority aforesaid, That in case of the Death or Resignation of any of the Ten Commissioners herein after named, that is to say, Archibald Duke of Argyle, James Duke of Athole, John Marquis of Tweddale, James Earl of Morton, John Earl of Hopeton, Charles Areskine, Andrew Fletcher, Alexander Dick, James Dewer, or John Forrest, such of the said Ten Commissioners as shall survive or remain, or the major Part of them, shall and may from time to time at some Publick Meeting to be held for that Purpose, elect and nominate a Commissioner to supply such Vacancy; and in case of the Death or Resignation of the said Robert Dundas, Sir Gilbert Elliot, or Hugh Dalrymple, the Senators of the College of Justice shall and may in like Manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said John Idle or John Maule, the Barons of his Majesty's Court of Exchequer in Scotland shall and may in like Manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said Robert Dundas, Alexander Boswall, or Gilbert Elliot, the Dean and Faculty of Advocates shall and may in like Manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said Alexander Mac Millan, Hugh Crawfurd, or John Mac Kenzie, the Clerks of the Signet shall and may in like Manner elect a Commissioner in his Stead; and in case of the Death or Resignation of the said William Alexander, William Grant, Henry Home, Robert Craigie, George Drummond, David Flint, John Brown, James Stewart, James Kerr, William Keir, Alexander Sharp, or Gavin Hamilton, the Magistrates and Council of the City of Edinburgh shall and may in like Manner elect a Commissioner

missioner in his Stead; and in case of the Death or Resignation of any of the Persons so elected as aforesaid, that then and in every such Case, such of the said Ten Persons as shall survive or remain the said Senators of the College of Justice, the said Barons of Exchequer, the said Faculty of Advocates, the said Clerks of the Signet, the said Magistrates and Council of the City of Edinburgh, shall respectively, from time to time, as often as any such Vacancy shall happen, and in like Manner elect a Commissioner in his Place or Stead.

Meeting of the Commissioners.

And be it enacted by the Authority aforesaid, That the Commissioners aforesaid, or any Seven or more of them, shall meet together at the Room called The laigh Council House in Edinburgh, the Third Monday in June, which shall be in the Year of our Lord One thousand seven hundred and fifty three, and shall then and afterwards, from time to time, adjourn themselves to the same or any other Place within the said City of Edinburgh, which the said Commissioners, or any Seven or more of them shall think proper or convenient, as often as it shall be necessary for putting this Act, or any of the Powers therein contained, into Execution; and if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said Commissioners, a sufficient Number of Commissioners to act at such Meeting, then, and in such Case, the major Part of the Commissioners so met (though not a Quorum) shall by publick Notice in any of the Edinburgh News Papers, to be given at least Ten Days before the next Meeting, appoint the said Commissioners to meet at the Place where the Meeting of the said Commissioners was to appointed to be held, within Fifteen Days at furthest next after the Day on which such last Meeting of the said Commissioners, when there was no Quorum, was appointed to be held; and the said Commissioners shall on all and every their Meetings bear and pay their own Charges and Expences.

Adjourned Meetings.

Commissioners may contract for Land to build an Exchange on;

And to the Intent that an Exchange may be erected near the Centre of the City; be it enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses and Grounds, as lie on the North Side of the High Street, bounded by the Entry to the Tenement of Land commonly called the Writer's Court on the West, the Stone-land immediately be-

low Allen's Close, commonly called Fair-holm's Land on the East, the High Street of the said City on the South, and the Lake commonly called the North Lock, on the North Parts, being One hundred and fifty Feet from East to West on the South Boundary, fronting the High Street, comprehending the whole Houses and Ground Northward from the said South Boundary to the North Lock, and to purchase the same at such Prices as shall be agreed on between the said Commissioners, or any Seven or more of them, and the said Owners and Occupiers respectively; and being so purchased, with Power to the said Commissioners to order the said Houses to be pulled down, and an Exchange to be erected in such Form and Manner as the said Commissioners, or any Seven or more of them, regularly convened, shall appoint and direct.

and for opening a more commodious Access to the High Street of the City, from the Fields on the North;

And, for the more commodious Access to the High Street of the said City, from the Fields on the North; be it enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses and Grounds as lie on the North Side of the High Street of the said City, bounded by the great Tenement of Land opposite to the Trone Church commonly called Milns Square, and the lower Flesh Market on the West, the Veimel or Passage called Halkerston's Wynd on the High Street of the said City on the South, and the Park or Inclosure, commonly called Lord Forglen's Park, on the North Parts, including within the said Boundaries the Range of Houses commonly called Kincaid's Lands, the House or Tenement commonly called Howies's Land, the Houses on the Side of the North Lock, belonging to the Heirs of Charles Robertson, with some ruinous Houses or Stables on the West Side of Halkerston Wynd, belonging to the Heirs of Robert Reid Sadler, in Edinburgh; and measuring Forty Feet from East to West on the South Boundary, fronting the High Street, and widening to the Northward to about Sirty Feet, and to purchase the Premisses at such Prices as shall be agreed on between the said Commissioners, or any Seven or more of them, and the said Owners and Occupiers respectively, and to order the said Houses so purchased, to be pulled down, and the Ground or Area to be employed in such Manner as the said Commissioners, or

any Seven or more of them, shall appoint, for rendering the Access to the said City and High Street thereof from the North Parts more easy and commodious.

and for opening convenient Entries from the High Street to the South;

And, for opening convenient Entries from the High Street to the South; be it enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, after agreeing with the Owners and Occupiers in Manner herein after mentioned, shall have full Power and Authority to cause a commodious Passage to be made for Coaches and Wheel Carriages from the High Street to the Cowgate, not exceeding Twenty Feet in Breadth, beginning under the Building to be erected on that Area where the House commonly called Elphingston's Land lately stood, near the Cross, and comprehending, within the said Passage, the Three Buildings belonging to the Heirs of George Marshall, and the Heirs of William Hunter; as also the Houses or Buildings in Bothwick's Close after mentioned; videlicet, the Middle and Lower Tenements belonging to the Heirs of the said George Marshall, and several Houses betwixt that Tenement and the Street of the Cowgate, comprehending the House belonging to Alexander Hutton, the House some time belonging to the Heirs of Corson or Johnston, and now to the said Alexander Hutton, the House belonging to Robert Bowie, and the House some time belonging to the Heirs of the said Corson or Johnston, and now to John Rattery; and for that Purpose, if it shall be found necessary, to cause the Gavel of the House called Arthur Reid's Land, on the East of the said Area to be taken down and rebuilt; as also to open a Street from the Head of Peebles Wynd on the North, to the Head of Hastie's Close on the South, not exceeding Sixty Feet in Breadth from East to West; and that the said Commissioners, or any Seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses or Areas, as fall within the Limits of the said Street and Passage, and to purchase the same at such Prices as shall be agreed on betwixt the said Commissioners, or any Seven or more of them, and the said Owners and Occupiers respectively, and to order the said Houses so purchased to be pulled down, the Areas to be cleared, and the said Street and Passage to be laid or paved in such Manner as the said Commissioners, or any Seven or more of them shall appoint.

And

And for the more commodious Access to the High Street of the said City from the West; be it enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such Houses and Grounds, as stretch from the House and Stabling at the Foot of the West Bow, known by the Name of The Drovers Tryste, in a straight Line Eastward, to the Top of Henderson's Stairs, at the Back of the Parliament or Session House, not exceeding One hundred Feet in Breadth, and then in a straight Line from the Top of the said Stairs to the High Street, at the Head of Bess Wynd, not exceeding Forty Feet in Breadth, and to purchase the Premisses at such Prices as shall be agreed on between the said Commissioners, or any Seven or more of them, and the said Owners and Occupiers respectively, and to order the said Houses so purchased to be pulled down, and the Ground or Area to be employed in such Manner as the said Commissioners, or any Seven or more of them shall appoint, for rendering the Access to the High Street of the said City, from the West Parts, more easy and commodious, and otherways improving the said City within the said Boundaries.

and for a more commodious Access to the High Street from the West.

And be it declared by the Authority aforesaid, That it shall and may be lawful to the Magistrates and Council of the City of Edinburgh, and their Successors, to give, grant, aliene, and dispone, to the said Commissioners, or any Seven or more of them, or to such Person or Persons as they shall nominate and appoint in their Behalf, all or any such Houses, Lands, or Premisses, purchased or which may be purchased by the said City, or belonging to them, which may be proper or convenient for carrying on the aforesaid Works.

Magistrates and Council of the City, may dispone of Lands purchased by them, for the Purposes aforelaid.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of such other Houses and Grounds as they shall find necessary for carrying on the said Works, and to purchase the same at such Prices as shall be agreed on, between the said Commissioners and the said Owners and Occupiers respectively, and to order the said Houses so purchased, to be pulled down, rebuilt, or employed for the Purposes aforesaid.

Commissioners may agree with the Proprietors of other Houses and Grounds.

And

And whereas it may happen that some Person or Persons, or Bodies Politick, Corporate, or Collegiate, or Trustees, or others who are seised of or intitled to some Houses or Ground which may be necessary to be purchased, pulled down, converted, or disposed of, for the Purposes of this Act, may be willing to treat and agree to sell such Houses or Ground, in order to perfect so useful and necessary a Work, but are incapable of granting and conveying the same, by reason of Infancy or other Disability by Tailles or otherwise; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Trustees, Tutors, or Curators for Infants or Minors, Idiots, or furious Persons, or other Persons for whom they are Trustees, and for all and every other Person or Persons whatsoever, who are or shall be seised, possessed of, or interested in, any House or Houses, or Grounds, which the said Commissioners shall judge necessary for the Purposes aforesaid, whether by Titles held in Fee-simple or taillied to sell and convey to the said Commissioners, or any Seven or more of them, or their Successors, or to such other Person or Persons, as they shall appoint, all or any such Houses and Grounds, or any Part thereof, for the Purposes aforesaid; and that all Contracts, Agreements, Sales, or other Conveyances, that shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding: And that all Trustees, Tutors, or Curators, Corporations, Proprietors, or Incumbrancers, subject to Taillies, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of or in pursuance of this Act.

Bodies Politick, and others, impowered to sell and convey Lands and Houses to the Commissioners.

Provided, That where Houses, Shops, or Grounds, under Entail, are purchased for the Purposes aforesaid, the Price of the Premisses shall by Authority of the Court of Session, be laid out upon Land, or other Heretable Security, and the Rights and Securities devised and taken to the same Series of Heirs, as are contained in the original Title Deeds of the Subjects under Entail, purchased for the Uses aforesaid: And if it shall happen that any Person or Persons, Bodies Politick, Corporate, or Collegiate, whether

Houses, &c. under Entail, the Price to be settled to the same Uses.

ther the City of Edinburgh, or others, or any Perſons, Proprietors, or Occupiers of Houſes or Grounds where the Exchange is to be built, or the Paſſages to the South, Weſt, and North opened, lying within the Boundaries deſcribed as aforeſaid reſpectively, ſhall refuſe to treat and agree to ſell the ſame as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby impowered to iſſue out a Warrant or Warrants, Precept or Precepts, directed to the Sheriff Depute of the County of Edinburgh, or his Subſtitute, commanding him, and he is hereby authorized and required to impanel and return a competent Number of ſubſtantial and diſintereſted Perſons, not leſs than Twenty five, nor more than Thirty ſix; and out of ſuch Perſons ſo to be ſummoned and returned, a Jury of Fifteen Perſons ſhall be choſen by the ſaid Commiſſioners, or any Seven or more of them; which Perſons ſo to be ſummoned and returned, are hereby required to come and appear before the ſaid Commiſſioners, or any Seven or more of them, at ſuch Times and Places, as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen: And the ſaid Commiſſioners, or any Seven or more of them, are hereby authorized, by Warrant or Warrants under their Hands, from time to time, as Occaſion ſhall require, to call before them all and every Perſon or Perſons whatſoever, who ſhall be thought proper or neceſſary to be examined as Witneſſes before them, touching or concerning the Premiſſes, and to ſend their Precept or Precepts for all ſuch Perſon or Perſons, who are hereby required to produce ſuch Books, Papers, Deeds, and Writings, as the ſaid Commiſſioners ſhall think neceſſary for their Information in any thing relating to this Act; and ſhall and may adminiſter Oaths for the better Diſcovery of the Truth of the Inquiry by them to be made, to any Perſon or Perſons therein concerned, or to any other Perſon or Perſons whatſoever; and ſhall and may likewiſe authorize the ſaid Jury to view the Place or Places, or Matters in Queſtion, as they the ſaid Commiſſioners, or any Seven or more of them, ſhall think fit: And the ſaid Jury, upon their Oaths, to be adminiſtered by the ſaid Commiſſioners, or any

Perſons refuſing to treat and agree with the Commiſſioners, the Purchaſe to be ſettled by a Jury.

Jury may be challenged.

Witneſſes may be ſummoned and examined on Oath.

Jury to assess the Damage and Recompence on Oath;

Seven or more of them; which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, or to be examined before the Commissioners, or any Seven or more of them, they are hereby impowered and required to administer, shall enquire of and assess such Damage and Recompence as they shall judge fit to be awarded to the Owners and Occupiers, or any of them, of any such Houses or Ground, or any Part thereof, for their respective Estates and Interests in the same, as by the said Commissioners, or any Seven or more of them, shall be judged fit to be pulled down, or converted to the Purposes aforesaid; and the said Commissioners, or any Seven or more of them, assembled together, shall and may give Judgement for such Sum or Sums of Money so to be assessed by such Jury or Juries respectively; which said Verdict or Verdicts, and the Judgement, Decree, or Determination thereupon, declared and pronounced by the said Commissioners, or any Seven or more of them assembled together, and the Value or Recompence so to be assessed and declared, (Notice in Writing being first given of their Meeting at least Twenty Days before, declaring the Time and Place of their Meeting, to any Person concerned, or being left at the Dwelling-house of such Person concerned, or at his or their usual Place of Abode, or with some Tenant or Occupier of the Lands, Grounds, or Tenements, to be pulled down, converted, or affected by this Act, in case such Party cannot otherways be found out to be served with such Notice) shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person and Persons, Bodies Politick and Corporate, having or claiming any Right, Title, Trust, or Interest, in, to, or out of, the said House, Grounds, Tenements, and Premisses, to be affected by this Act, either in Fee or Life-rent, or Expectancy, as well Infants, Minors, Idiots, or furious Persons, Proprietors by Tailly, Life-renters, Lessees, or Tenants, his, her, and their Heirs, Successors, Executors, and Administrators; and the said Verdicts, Judgements, Orders, Sentences, and Decrees, and the other Proceedings of the said Commissioners so to be made, given, and pronounced, as aforesaid, shall be fairly written on a Paper or Parchment by the Commissioners Clerk, and signed by any Seven or more of

and Commissioners to give Judgement thereon,

which shall be binding to all Persons;

the same to be in Writing, and signed by the Commissioners;

the Commissioners present at the making and pronouncing the same, and shall be recorded in the Town-court Books of Edinburgh; and the same, or Extracts thereof, shall be deemed and taken as good and effectual Evidence and Proof in any Court of Law or Equity whatsoever.

Jury, &c. may be fined for Neglect of Duty in the Premisses.

And be it enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, acting in the Premisses, shall have Power to impose any reasonable Fine or Fines, not exceeding Five Pounds lawful Money of Great Britain, on any of the Persons who shall be summoned and returned on any such Jury or Juries, and shall not appear, and who shall refuse to be so sworn on the said Jury or Juries, or being so sworn, shall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty in the Premisses, contrary to the true Intent and Meaning of this Act; and likewise upon such Person or Persons summoned as aforesaid to give Evidence, and who shall neglect or refuse to appear to give Evidence accordingly, at such Time or Times, Place or Places, as shall be limited or appointed for that Purpose as aforesaid, or appearing, shall refuse to be sworn, give Evidence, or be examined by or before the said Commissioners, or any Seven or more of them; and also on such Person or Persons summoned as aforesaid to produce Books, Papers, Deeds, and Writings, before the said Commissioners, or any Seven or more of them, for their Information in any thing relating to this Act, who shall neglect or refuse to appear before the said Commissioners, or appearing, shall refuse to be sworn or produce such Books, Papers, Deeds, or Writings as aforesaid; and which respective Fines to be imposed as aforesaid, shall be levied in a summary Way, by Diligence issued from the Court of Session, in the same Way that is competent upon Decrees of that Court; and when levied, shall be paid in to the Cashier of the Bank of Scotland, or the Royal Bank of Scotland, and shall be applied by the said Commissioners, or any Seven or more of them, to the Purpose of this Act, and to no other Use or Purpose whatsoever.

Application of the Fines.

Upon Payment or Tender of the Sum awarded,

And it is hereby enacted and declared, That upon Payment of such Sum or Sums of Money so to be awarded or adjudged to the Party or Parties concerned,

terned, or legal Tenders thereof made to him, her, or them respectively, at his, her, or their Dwelling-house, in case such Party or Parties can be met with, and on Refusal of the same, or if he, she, or they, have no such Dwelling-house in Edinburgh, then upon Payment thereof into the Bank of Scotland, or into the Royal Bank of Scotland, for the Use of the Party or Parties interested as aforesaid, and to be issued to him, her, or them, by Order of the said Commissioners, or any Seven or more of them, and Notice of such Payment left in Writing at the Dwelling-house of some Tenant and Occupier of the Premisses, it shall then, and not before, or otherwise, be lawful to and for the said Commissioners and their Successors, and to and for their Agents and Workmen, to remove, pull down, order, convert, and dispose of such Houses, Tenements, Buildings, Ground, and Premisses, for the Purposes of this Act, in such Manner as the said Commissioners, or any Seven or more of them, shall see fit and expedient; and the said Commissioners shall be indemnified therein, and quieted in the Possession of the Premisses so to be ordered, converted, and disposed of, by virtue and under the Authority of this present Act; provided that previous Notice shall be given to the Tenants and Occupiers of such Houses so to be pulled down, Three Calendar Months at least before the Term of Whitsunday, at which the said Tenants or Occupiers are to be removed, by affixing a Schedule to that Effect, upon the most patent Door of such House or Houses, or delivering the same to the principal Tenant or Occupier of the same; which Schedule shall be ordered and appointed, and so delivered and affixed by Order of the said Commissioners, or any Seven or more of them, and an Advertisement thereof shall be inserted in any of the Edinburgh News Papers; and in case any Dispute shall arise between the Parties claiming, or intitled to different Interest in the Houses, Grounds, Tenements, and Hereditaments, necessary to be purchased, pulled down, converted, or disposed of, for the Purposes of this Act, or in case the Title to the same Premisses shall not appear sufficient and effectual to the Satisfaction of the said Commissioners, or any Seven or more of them, then and in such Case after such Damage and Recompence assessed or awarded by the Verdict of a Jury, and such Decree, Judgement, and Determination

the Commissioners may enter on, and pull down the Houses, &c.

Previous Notice to be given to the Occupiers.

Disputes between the Claimants how to be adjusted and settled.

Determination of the Commissioners thereupon as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to pay or direct the Money so to be awarded or adjudged for the Purchase of the Premisses into either of the aforesaid Banks, or otherwise, at the Request of the Person or Persons who shall then be in Possession of the same, or into the Hands of the Magistrates and Town Council of Edinburgh, and their Treasurer for the time being, in the Terms, and upon the Conditions mentioned in an Act of the Parliament of Scotland, made in the Year One thousand six hundred and ninety five, intituled, Act relating to Sale and Payment of Bankrupts Estates, but with Interest as hereafter mentioned; there to remain until the Matters in Dispute between the Parties interested shall be settled and adjusted, or the Title of the Premisses cleared up or made out to the Satisfaction of the said Commissioners, or any Seven or more of them; and after the same shall be so settled, adjusted, and made up, the Money consigned as aforesaid, shall be paid by the City of Edinburgh or its Treasurer, with Interest thereof, at the Rate of One per Centum below the legal Interest, or by the said Bank, or their Cashier, to the Order of the said Commissioners, or any Seven or more of them; and after such Payment into either of the said Banks, or Consignation thereof as aforesaid, it shall then, and not before, or otherways, be lawful for and to the said Commissioners and their Successors, or any Seven or more of them, and for and to their Agents and Workmen, to remove, pull down, order, convert, and dispose of such Houses, Tenements, Buildings, and Premisses, pursuant to and by the Authority of, and for the Purposes of this Act; and the said Commissioners shall be indemnified therein, and quieted in the Possession thereof, and shall not be answerable or accountable in any Court of Law or Equity, for the Money so deposited or applied as aforesaid, any otherways than according to the Tenor, Purport, and true Meaning of this Act; and if there shall be no Challenge for Five Years, from and after the Consignation of such Price, it shall and may be lawful for the said Commissioners, or any Seven or more of them, to issue their Warrant in Writing for Payment of such Price and Interest, as shall be due thereon, to the Person or Persons who were in Possession as Proprietor

Act in the Year 1695.

The Money to be paid with Interest.

After Payment, Commissioners may enter on the Premisses, &c.

prietor or Proprietors of such House or Houses, at the Time the same were pulled down.

Commissioners to have the Administration of the Money subscribed, and to call for the same.

And be it declared and enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have the sole Administration of the Money contributed and subscribed for, or that may be contributed or subscribed for, and they are hereby authorized and impowered to call for the same from the Subscribers at such Time, and by such Moieties, as they shall judge proper, with Power to them, or any Seven or more of them, to employ the same in making Purchases for the Purposes aforesaid, and to take the Rights and Conveyances of the Purchases so to be made to the said Commissioners and their Successors in Office, or to such Person or Persons, Bodies Corporate or Collegiate, as the said Commissioners, or any Seven or more of them shall direct, for carrying the Purposes of this Act into Execution, after deducting the reasonable Charges expended, or to be expended in or about, or by reason of passing this Act, and for the Uses and Purposes therein mentioned, and no otherways.

And whereas divers Houses, or other Hereditaments, lying and situated within the Limits and Boundaries above described, or some of them, have been, and are insured with and by the Corporation called and known by the Name of The *Edinburgh* Friendly Insurance against Losses by Fire; and the Premiums of Insurance for some of them are or may be paid, as the Premiums for others of them are, at the Time of the Demolition thereof in consequence of this present Act, may be owing, and the Bonds for such Premiums are made a real Burden on the Premisses insured, by virtue of a Clause in an Act of Parliament passed in the First Year of His present Majesty's Reign, intituled, An Act to explain the Acts of the Third and Ninth Years of His late Majesty's Reign, for continuing the Duty of Two Pennies *Scots* on every Pint of Ale and Beer sold in the City of *Edinburgh*, in relation to the Payment of Petty Port Customs, and for the more effectual securing the Payment of such Money, as hath been or shall be contributed towards a Charitable Fund for Relief of such as shall suffer by Fire in the said City, and the Suburbs and Liberties thereof: Now, for the preventing all Disputes and Questions touching the said Premiums, or touching the Application and Explanation of some of the Articles

Act 1 *Geo.* II.

ticles of the said Friendly Insurance, upon the Demolition of any such insured Premisses; be it enacted, That in all Cases where the Premium for Insurance of any House, or other Subject insured with the said Corporation, and which shall be pulled down in consequence of the Powers and Authorities hereby given, shall have been paid before such Demolition, the said Premium shall, notwithstanding of such Demolition, remain with the said Corporation; and no Action shall lie in Law or Equity for Repetition thereof, or of any Interest arising thereon; and that in all Cases where such Premium shall be owing at the Time of such Demolition, the same, and all the Interest due thereupon for the Time, shall be payable and shall be paid out of the First and readiest of the Price assessed or payable for such House, or other Hereditament, immediately after the same is settled, before demolishing the Hereditament insured, and notwithstanding of any Dispute which may arise concerning the Title thereunto, or the Payment or Distribution of the Remainder of the said Price.

Premium paid or due for Insurance of Houses, which shall be pulled down by virtue of this Act, to stand good.

Provided always, and it is hereby declared, That if the Person intitled to any Policy of Insurance by the said Corporation, for any such demolished House or other Hereditamsnt, shall choose to insure with the said Corporation any House or other Hereditament, whether rebuilt on the same Foundation with the One demolished, or built elsewhere, then and in such Case, the said Corporation shall be obliged to allow the Premium paid or to be paid as aforesaid, for the demolished House or other Hereditament, as and for the Premium in Terms of their Articles of Copartnery of the like Value, to be insured on such new or other House, or other Hereditaments; and that the proportional Interest in the Stock of the said Corporation and Profits thereof, which was annexed to and would have gone along with the demolished House, or other Hereditament, shall be annexed to and go along with the House, or other Hereditament, so to be anew insured; any thing to the contrary in the Articles of the said Corporation notwithstanding.

If the Person intitled to the Policy shall choose to insure any other House, the Corporation to allow the Premium so paid or to be paid, as for such House.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby required to lett, sell, and dispose of the Buildings, to be by them erected at the intended Exchange

Commissioners may lett or sell the Buildings erected by them;

change, or elsewhere, (other than those that are to be Rent-free as afore-mentioned) and they are hereby impowered to lett, sell, and dispose of the same to such Person or Persons as shall be willing to contract, agree for, or purchase the same, in Whole or in Part, and to apply the Price or Rents arising from the Premisses to the Purposes of this Act, and not otherwise.

and such Ground as shall not be necessary to be taken into the Streets;

And whereas by means of the Purchases which the Commissioners are hereby impowered to make by virtue of this Act, they may be possessed of some Piece or Parcel of Ground, over and above what may be necessary for the opening and widening of Ways, Streets, and Passages to and from the High Street, and other Purposes of this Act; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to lett, sell, or dispose of such Piece or Pieces of Ground, either together, or in Parcels, as they shall find most advantageous and convenient, to such Person or Persons as shall be willing to contract, agree for, or purchase the same; and to

and may assign in what Manner the Houses shall be erected, and the Breadth of the Streets.

design, assign, and lay out, in what Manner the new Houses or Structures to be built thereon shall be erected, and of what Breadth and Extent the Streets and Passages shall be, and to sell and dispose of the Materials of such House or Houses, as the said Commissioners shall purchase and cause to be pulled down as aforesaid.

Application of the Monies arising by Sale, &c. of such Ground, or of the Materials.

Provided always, That the Monies arising by the Sale or letting of such Ground, and selling the Materials of the Houses to be purchased and pulled down, shall be employed towards the Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

Contributions, and other Monies, to be paid into the Bank.

And be it further enacted by the Authority aforesaid, That the Monies to be called for by the said Commissioners, or any Seven or more of them as aforesaid, from the Subscribers and Contributors, and all other Sums of Money arising by Sale or otherways, in consequence of this Act, shall be paid into the Bank of Scotland, or Royal Bank of Scotland, to be issued out by Order of the said Commissioners, or any Seven or more of them as aforesaid, for the Uses and Purposes of this present Act.

Lord Registers in the Custody of the Record, not abridg'd hereby.

Provided always, That nothing in this Act contained, shall extend to abridge or prejudice the Power of the Lord Clerk Register in the Custody of the Records committed to his Care.

And

Buildings erected for the publick Offices to be the Property of the City.

And be it further enacted by the Authority aforesaid, That the Buildings to be erected for the Keeping the Records, under the Custody of the Lord Register, and for the Advocates Library, and Hall to the Clerks to the Signet, the Town-house or Room for the Meeting of the Convention of Royal Boroughs and Council Chamber, shall be the Property of the City of Edinburgh; nevertheless subject to the Uses for which the same shall be erected, and Rent free; provided that the Magistrates and Town Council of the City of Edinburgh, and their Successors in Office, shall be and are hereby obliged to uphold in good and sufficient Repair, the said Buildings to be erected for the Purposes aforesaid.

Commissioners to meet 4 Times at least in the Year;

And that no Delay may be occasioned by the said Commissioners or their Quorum not Meeting, or omitting to make a regular Adjournment; be it further enacted by the Authority aforesaid, That the said Commissioners shall and may, and they are hereby required and directed to meet at least Four Times in every Year; videlicet, on the Third Mondays of the Months of June and July, November and February, with Power to adjourn themselves, from time to time, as they shall see cause.

their First Meeting.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, at their First Meeting, which shall be on the Third Monday in June, in the Year of our Lord One thousand seven hundred and fifty three, or at any After-meeting in virtue of the Powers of Adjournment in this Act contained, to determine and choose which of the Purposes aforesaid shall be first begun and carried into Execution, and with Power to them and their Successors in virtue of this Act, from time to time, to regulate the Order of carrying on the several Purposes mentioned in this Act, or such of these Purposes as they shall find themselves in Condition to undertake, during the Continuance of this Act.

Order of carrying on the Purposes of this Act to be settled.

Commissioners to make an Entry of their Proceedings, and of the Sum contributed;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners and their Successors, and they are hereby authorized and required to keep a Record of their Proceedings, and to cause a distinct Entry to be made of the Whole Sums that are or may be contributed to-

Clerk and Book-keeper to be chosen, and a Salary to be allowed them.

wards the Purposes of this Act; and to nominate a Clerk and Book-keeper for that Purpose, and allow them for their Trouble and Expence a yearly Salary, to be proportioned as the said Commissioners shall judge proper, not exceeding Twenty five Pounds, lawful Money of Great Britain, for the Allowance to both, for themselves and Servants employed in Writing; and the said Commissioners are hereby required before the Expiration of this Act, to cause their Books to be ballanced; and in case there shall be any Sum or Sums of Money, Buildings, Houses, Grounds, or other Effects undisposed of, then and in that Case the said Commissioners are hereby authorized and required to appoint the Purposes to which the same shall be applied for the further Improvements of the said City, or any other Purpose in or about the City, they shall think fit; and to make over the said Excrescence and Premisses remaining with them, if any then be, to the Magistrates and Council of the City of Edinburgh, for the Use of the Community; and the said Magistrates and Council, and their Successors in Office, are hereby appointed and required to employ and dispose of the Premisses and Sums so conveyed to them by the Commissioners in the precise Manner, and according to the Order that the same shall be appointed by the said Commissioners, or any Seven or more of them, to be expressed in Writing under their Hands, which shall be put upon Record in the Books of Council and Session, or Town Court Books of Edinburgh, and be deemed, held, and taken by the said Magistrates and Council, as the Rule of their Procedure.

Books to be ballanced before the Expiration of this Act, and the Balance, &c. to be laid out in further Improvements, &c.

Publick Act.

And it is hereby declared, That this Act is a Publick Act, and shall be deemed and taken Notice of as such, by all Judges, Justices, and others, in all Courts and Places, without specially pleading the same.

Continuance of this Act.

And be it further enacted by the Authority aforesaid, That this Act shall continue and be in Force, until the Third Monday in June, in the Year of our Lord One thousand seven hundred and sixty five, so far as relates to the purchasing of Houses, Buildings, and Grounds, and no longer; but that this Act, as to all other the Powers and Matters therein contained, shall continue and be in Force, until the Third Monday in June, in the Year of our Lord One thousand seven hundred and seventy four, and from thence to the End of the then next Session of Parliament, and no longer.

FINIS.

A

TABLE

OF THE

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Publick *and* Private,

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Being the Sixth Seſſion of the Tenth Parliament of *Great Britain.*

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XXXVIII. An Act to enable the Pariſhioners of the Pariſh of *Stone*, in the County of *Stafford*, to rebuild the Church of the ſaid Pariſh.

XXXIX. An Act for repairing and widening ſeveral Roads leading from the Town of *Bewdley*, in the County of *Worceſter*, to the ſeveral Places therein mentioned, in the Counties of *Worceſter* and *Salop* reſpectively.

XL. An Act for repairing the Roads from the City of *Carliſle*, to the Town of *Penrith* in the County of *Cumberland*, and from the ſaid Town of *Penrith*, to *Emont Bridge*, which divides the Counties of *Cumberland* and *Weſtmoreland*.

XLI. An Act for continuing and making more effectual Three Acts of Parliament, paſſed in the Ninth and Twelfth Years of the Reign of Her late Majeſty Queen *Anne*, and the Fifth Year of the Reign of His preſent Majeſty, for repairing the Highways between *Dunſtable* and *Hockliffe*, in the County of *Bedford*; and alſo for repairing the Road from the Sign of the *White Horſe* to the Sign of the *King's Arms* in *Hockliffe* aforeſaid.

XLII. An Act for repairing and widening the Road from the Weſt End of *Seend Street*, in the County of *Wilts*, to the *Horſe and Jockey*, in the Pariſh of *Box*, in the ſaid County.

XLIII. An Act for enlarging the Church-yard of the Pariſh of *Paddington*, in the County of *Middleſex*.

XLIV. An Act for laying a Duty of Two Pennies *Scots*, or One Sixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped, or ſold, within the Town of *Dyſart*, and Liberties thereof, and all Places adjacent, lying within Three hundred Yards of the Boundaries of the ſaid Liberties, for repairing, improving, and preſerving the Harbour of the ſaid Town.

XLV. An Act for building a new Church within the Town of *Mancheſter*, in the County Palatine of *Lancaſter*.

XLVI. An Act for repairing the Road from the Borough of *Leiceſter*, in the County of *Leiceſter*, to the Town of *Aſhby de la Zouch* in the ſaid County.

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XLVIII. An Act for enlarging the Term and Powers granted by an Act paſſed in the Twentieth Year of the Reign of His preſent Majeſty, for repairing the High Road leading from the City of *Durham*, in the County of *Durham*, to *Tyne Bridge* in the ſaid County.

XLIX. An Act for repairing the Road from the City of *Carliſle*, in the County of *Cumberland*, to the Market and Sea-port Town of *Workington* in the ſaid County.

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LI. An Act for repairing and widening the Roads leading from a Place called *Baſing-ſtone*, near the Town of *Bagſhot*, in the Pariſh of *Windleſham*, in the County of *Surry*, through *Frimley* and *Farnham*, in the ſame County; and from thence through *Bentley*, *Hollyborn*, *Alton*, *Chawton*, *Ropley*, *Biſhop's Sutton*, *New Alresford*, and *Mattingley*, otherwiſe *Matterley Lane*, to the City of *Winchеſter*, in the County of *Southampton*.

LII. An Act for widening and repairing the High Road leading from *Heron Syke*, which divides the Counties of *Lancaſter* and *Weſtmoreland*, to the Town of *Kirkby* in *Kendal*; and from the ſaid Town of *Kirkby* in *Kendal*, through the Town of *Shapp*, to *Emont Bridge*, in the ſaid County of *Weſtmoreland*.

LIII. An Act to continue and render more effectual Three Acts of Parliament, paſſed in the Eleventh Year of the Reign of His late Majeſty King *George* the Firſt, and in the Third and Twenty ſecond Years of the Reign of His preſent Majeſty, for repairing the Road from *Sherbrooke Hill*, near *Buxton* and *Chapel in the Frith*, in the County of *Derby*, through the Town of *Stockport*, in the County of *Cheſter*, to *Manchеſter* in the County of *Lancaſter*, and other Roads in the ſaid Acts mentioned; and for repairing the Road from the *School Houſe* in *Didſbury*, to the Bridge in *Wimſlow*, in the County of *Cheſter*; and for erecting a Bridge over the River *Merſey*.

LIV. An Act for repairing and widening the Road leading from *Flimwell Vent*, in the Pariſh of *Ticehurſt*, in the County of *Suſſex*, to the Town and Port of *Haſtings*, in the ſaid County.

LV. An Act for enlarging the Term and Powers granted by an Act made in the Eleventh Year of His preſent Majeſty's Reign, intituled, *An Act for repairing the Road from* Shoreditch Church, *through* Hackney, *to* Stanford Hill, *and croſs* Cambridge Heath, *over* Bethnal Green, *to the Turnpike at* Mile-End, *in the County of* Middleſex.

LVI. An Act for continuing and giving further Powers to the Truſtees for putting in Execution Two Acts of Parliament for repairing the Roads from the Pariſh of *Enfield*, in the County of *Middleſex*, to the Town of *Hertford*, and other Roads in the ſaid Acts mentioned.

LVII. An Act for raiſing a Sum of Money by a County Rate, for purchaſing a proper Priſon for Debtors in the County of *Devon*.

LVIII. An Act for building a Chapel on the Common, in the Pariſh of *Portſea*, in the County of *Southampton*, and for veſting Power in certain Truſtees for the Regulation thereof.

LIX. An Act for repairing and widening the Road from the Weſt End of the Town of *Burton upon Trent*, in the County of *Stafford*, through the ſaid Town, to the South End of the Town of *Derby*, in the County of *Derby*.

LX. An Act for repairing and widening the Road from the Top of *White Sheet Hill*, in the Parish of *Donhead Saint Andrew*, in the County of *Wilts*, through the Towns of *Shaftesbury*, *Milborne Port*, and *Sherborne*, in the Counties of *Dorset* and *Somerset*, to the *Halfway House*, in the Parish of *Nether* otherwise *Lower Compton*, in the said County of *Dorset*, and several other Roads near the Towns of *Shaftesbury* and *Sherborne* aforesaid.

LXI. An Act for enlarging the Term and Powers granted by an Act passed in the Fourteenth Year of the Reign of His present Majesty, intituled, *An Act for repairing the Road leading from* Ealand, *to the Town of* Leeds, *in the West Riding of the County of* York.

LXII. An Act for repairing and widening the Roads from *Henshalls Smithy*, upon *Cranage Green*, through the Town of *Nether Knutsford*, and by the *South Guide Post* in *Mere* and *Bucklow Hill*, to the Town of *Altrincham*, in the County Palatine of *Chester*; and from the said *Guide Post* to *Warrington*, in the County of *Lancaster*; and from *Bucklow Hill* aforesaid, to *Penny's Lane*, near *Northwich*, in the said County of *Chester*.

LXIII. An Act for repairing and widening the Roads from a certain Place in the Town of *Salford*, to the Towns of *Warrington* and *Bolton*, and through *Wardley Lane*, to the Town of *Wigan*, and to the *Stocks* in the Township of *Duxbury*, and to a Place called the *Broad Oak*, in *Worseley*, in the County Palatine of *Lancaster*.

LXIV. An Act for repairing and widening the Road from *Tadcaster*, through *Newton*, *Collingham*, *Harewood*, *Arthington*, and *Pool*, to *Otley*, in the West Riding of the County of *York*.

LXV. An Act for enlarging the Term and Powers granted by Two Acts of Parliament, One passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, and the Other passed in the Nineteenth Year of the Reign of His present Majesty, for repairing the Road from *Liverpoole* to *Prescot*, and other Roads therein mentioned, in the County Palatine of *Lancaster*; and also for repairing the Road from *Prescot*, through *Whiston*, *Rainhill*, *Bold*, and *Sankey*, to the Town of *Warrington*, and also the Road from *Saint Helen* to *Ashton*, in the said County Palatine.

LXVI. An Act for repairing and widening the Roads leading from *Lobcomb Corner*, in the Parish of *Winterslow*, to *Harnham Bridge*, in the County of *Wilts*; and from the West Corner of Saint *Anne's Street*, in the City of *New Sarum*, to the Parishes of *Landford* and *Brook*; and from thence to *Ealing*, and from *Landford* aforesaid, through *Ower* and *Testwood*, to *Ealing* aforesaid, in the County of *Southampton*.

LXVII. An Act for repairing and widening the Roads from the East End of *Brough under Stainmore*, in the County of *Westmoreland*, by the End of *Appleby Bridge*, to *Emont Bridge* in the said County.

LXVIII. An Act for amending, widening, and repairing, the Road leading from *Dover* to *Barham Downs*, in the County of *Kent*.

LXIX. An Act for repairing and widening the Road from the *Halfway House*, in the Parish of *Lower Compton*, in the County of *Dorset*, through the Towns of *Yeovil*, *Crewkerne*, and *Chard*, to the East End of the Town of *Axminster*, in the County of *Devon*, and several other Roads, round the said Town of *Yeovil*, in the County of *Somerset*.

LXX. An Act for repairing and widening the Road from the *Hand and Post* in *Upton Field*, in the Parish of *Burford*, in the County of *Oxford*, through the several Parishes within mentioned, to a Place in the Parish of *Preston*, in the County of *Gloucester*, called *Dancy's Fancy*.

LXXI. An Act for repairing and widening the Roads therein mentioned, leading to and from the Towns of *Shepton Mallet* and *Ivelchester*, in the County of *Somerset*.

LXXII. An

LXXII. An Act for continuing and making more effectual Two Acts of Parliament for repairing the Roads leading from *Ipſwich* to *Cleyden*, in the County of *Suffolk*, and other Roads in the ſaid Acts mentioned; and for repairing the Road from *Cleydon* aforeſaid, to *Codenham Beacon*, in the ſaid County.

LXXIII. An Act to continue and render more effectual Two Acts of Parliament, One paſſed in the Tenth Year of the Reign of His late Majeſty King *George* the Firſt, and the Other paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, for repairing the Road from *Duncburch*, to the Bottom of *Mereden Hill*, in the County of *Warwick*, and for repairing the Road from the Bottom of *Mereden Hill* aforeſaid, to *Stone Bridge*, in the ſaid County.

LXXIV. An Act for amending ſeveral Roads leading from the City of *Exeter*.

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LXXVI. An Act for repairing and widening the Road leading from *Pipers Inn*, in the Pariſh of *Aſhcott*, in the County of *Somerſet*, to and through *Glaſton*, otherwiſe *Glaſtonbury*, and *Wells*, to the Direction or White Poſt, in the great Weſtern Road to the City of *Bath*; and alſo from *Wells* to *Ruſh Hill*, leading to the City of *Briſtol*.

LXXVII. An Act to explain and make more effectual an Act paſſed in the Fourteenth Year of His preſent Majeſty's Reign, *For repairing the Roads from* Doncaſter, *through* Ferry Bridge, *to the South Side of* Tadcaſter Croſs; *and alſo from* Ferry Bridge *to* Wetherby, *and from thence to* Borough Bridge, *in the County of* York.

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LXXIX. An Act for laying a Duty of Two Pennies *Scots*, or a Sixth Part of a Penny Sterling, upon every *Scots* Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped, or ſold, within the Town and Pariſh of *Preſton Pans*, in the Shire of *Eaſt Lothian*, otherwiſe *Haddingtoun*, for repairing the Harbour of the ſaid Town, and for other Purpoſes therein mentioned.

LXXX. An Act to continue and render more effectual ſeveral Acts of Parliament for repairing the Highways leading to *Highgate Gatehouſe*, and *Hampſtead*, and other Roads in the ſaid Acts mentioned, in the County of *Middleſex*.

LXXXI. An Act for repairing the Roads from *Livingſtoun*, by the Kirk of *Shotts*, to the City of *Glaſgow*, and by the Town of *Hamilton*, to the Town of *Strathaven*.

LXXXII. An Act for repairing the Road from the Turnpike Road at *Buckton Burn*, in the County of *Durham*, through *Berwick upon Tweed*, to *Lammerton Hill*, and alſo the ſeveral other Roads therein mentioned, lying in the ſaid County, and within the Liberties of the ſaid Town of *Berwick*.

LXXXIII. An Act for repairing and widening the Roads from *Kighley* to *Wakefield* and *Halifax*, and from *Dudley Hill* to *Killinghall*, and the South Weſt Corner of *Harrowgate Incloſures*, and more effectually to repair the Roads from *Leeds* to *Halifax*, and *Bowling Lane*, and *Little Horton Lane*, and for building a Bridge over the River *Wharf* at *Poole*, in the Weſt Riding of the County of *York*.

LXXXIV. An Act for repairing and widening the Roads from *Spann Smithy*, in the Townſhip of *Elton*, through the Town of *Middlewich*, and by *Spittle Hill*

in

in *Stainborne*, to *Winsford Bridge*; and from *Spittle Hill*, to the Town of *Northwich*, in the County Palatine of *Chester*.

LXXXV. An Act for repairing the Road from *Ashby de la Zouch*, in the County of *Leicester*, through *Burton upon Trent*, in the County of *Stafford*, and to the *Cock Inn* in *Tutbury*, in the said County.

LXXXVI. An Act for repairing, amending, and widening the Road from *Keighley*, in the West Riding of the County of *York*, to *Kirkby* in *Kendal* in the County of *Westmorland*.

LXXXVII. An Act for repairing and widening the Road from the Stones End near *Shoreditch* Church, to the Centre of the Bridge in *Old Street* Road, and through *Old Street*, in the Parish of Saint *Luke*, *Middlesex*, to the West End of the said Street, next the Pavement in *Goswell Street*.

LXXXVIII. An Act for repairing the Road leading from *Oundle*, in the County of *Northampton*, to *Alconbury cum Weston*, in the County of *Huntingdon*, from *Barnwell*, in the said County of *Northampton*, to *Alconbury cum Weston* aforesaid, and from the *Mile Brook* in *Hamerton*, to *Wood Lane End*, next the Parish of *Great Gidding*, in the said County of *Huntingdon*.

LXXXIX. An Act for explaining, amending, and making more effectual, Two Acts of Parliament, the One passed in the Twentieth Year of His present Majesty's Reign, intituled, *An Act for repairing the High Road leading from the Town of* Stockton upon Tees, *in the County of* Durham, *to* Darlington, *and from thence through* Winstone, *to* Bernard Castle, *in the said County*; and the Other passed in the Twenty second Year of His said Majesty's Reign, intituled, *An Act for enlarging the Term and Powers granted by the said first-mentioned Act, and for the effectual amending of the said Road.*

XC. An Act for repairing several Roads leading into the City of *Glasgow*.

XCI. An Act for repairing the Road from *North Queen's Ferry*, through the Towns of *Inverkeithing* and *Kinross*, to the Town of *Perth*; and also the Road from the said *Queen's Ferry*, to the Towns of *Dumfermline*, *Torryburn*, and *Culross*; and also the Road from the said *Queen's Ferry*, through *Inverkeithing*, to *Brunstland* and *Kirkaldie*.

XCII. An Act for repairing, amending, and widening, the several Roads leading from the *Red Post*, in the Parish of *Fivehead*, through the Towns of *Langport* and *Somerton*, to *Butwell*; and also from *Curry Rivell* to *Puckington Lane*, and from *Cary Bridge* to *Street Cross*, in the County of *Somerset*.

XCIII. An Act for repairing and widening the several Roads in the County of *Peebles*, leading from *Tweedsmuir* towards the City of *Edinburgh*, by *Blyth Bridge*, *La Mancha*, and *Wheam*, and by *Linton* and *Carlops*, and from *Ingleston* through *Carlops*, until all the said Roads join the Limits of the County of *Edinburgh*.

XCIV. An Act to enable the Owners of Houses and Lands, in the Parish of Saint *Botolph*, without *Aldersgate*, and the Inhabitants thereof, to repair the Church and Steeple belonging to the said Parish.

XCV. An Act to explain and amend an Act passed in the Twentieth Year of His present Majesty's Reign, intituled, *An Act for repairing the Road leading from* Catterick Bridge, *in the County of* York, *to* Yarm *in the said County*; *and from thence to* Stockton, *in the County of* Durham; *and from thence through* Sedgefield, *in the said County of* Durham, *to the City of* Durham.

XXVI. An Act for laying a Duty of Two Pennies *Scots*, or One Sixth Part of a Penny Sterling, on every *Scots* Pint of Ale and Beer which shall be brewed for Sale, brought into, tapped, or sold, within the Town of *Paisley*, and Liberties thereof, in the County of *Renfrew*, for improving the Navigation of the River *Cart*, and for other Purposes.

XXVII. An Act for the better Relief and Employment of the Poor in the Parish of Saint *George*, *Hanover Square*, within the Liberty of the City of

of *Weſtminſter*, and for cleanſing the Streets, and repairing the Highways, within the ſaid Pariſh.

XCVIII. An Act more effectually to enable the Pariſhioners of the Pariſh of *Chriſt Church* in the County of *Middleſex*, to purchaſe, hire, or erect, a Workhouſe for the employing and maintaining the Poor of the ſaid Pariſh, and for the more effectual Support and Employment of the Poor therein.

XCIX. An Act for the better Relief and Employment of the Poor, and for enlightening the Streets, Paſſages, and open Places, within the City of *Chicheſter*, and ſeveral Places adjoining thereto, and the Cloſe within the ſaid City.

C. An Act for the better Relief and Employment of the Poor in the Pariſh of *Eaſt Greenwich*, in the County of *Kent*, and for repairing the Highways, and cleanſing the Streets thereof.

CI. An Act to enable *James Mallors* to open a Street from the Weſt Side of *King's Street*, in the Pariſh of Saint *Margaret*, in the City of *Weſtminſter*, to the Back Part of the Houſes, Gardens, and Yards, on the Weſt Side of *Delabaye Street*, in the ſame Pariſh, and for other Purpoſes therein mentioned.

PRIVATE ACTS.

AN Act for naturalizing *Frederick Hoffgaard*.

2. An Act to enable *John Peploe Birch*, an Infant, heretofore called *John Peploe*, to take and uſe the Surname of *Peploe Birch*, only, purſuant to the Will of *Samuel Birch* Eſquire, deceaſed.

3. An Act for enabling *Abraham Carleton* Eſquire, now called *Abraham Cumberbatch*, and his Iſſue Male, to take and uſe the Surname of *Cumberbatch*.

4. An Act for naturalizing *Daniel Boumeeſter*, *James Rilliet*, *Anthony Bertrand*, *Frederick Teiſe*, *Francis Brouzet*, and *George Grand*.

5. An Act to naturalize *John Henry Schoen*, *Peter Rodolph*, *George Alexander Fatio*, *William Du Bois*, *William Konink*, and *Henry Klauſing*.

6. An Act for naturalizing *Jacob Valk*.

7. An Act for naturalizing *Beat Rodolph Victor Nerbel*.

8. An Act for making the Exemplification of the laſt Will of *Henry* late Earl of *Shelburne* in the Kingdom of *Ireland*, deceaſed, Evidence in all Courts of Law and Equity in *Great Britain* and *Ireland*.

9. An Act for ſettling a yearly Rent on the Rector of *Puſey*, in the County of *Berks*, and his Succeſſors, in lieu of his Tythes, and Part of his Glebe, and veſting the ſaid Tythes and Glebe in *John Allen Puſey* Eſquire, and his Heirs.

10. An Act for Sale of divers Lands and Hereditaments, in the County of *Glouceſter*, deviſed by the Will of *Alice Gilbert*, Spinſter, for raiſing Money to diſcharge ſeveral Debts and Legacies, and for laying out the Surplus in the Purchaſe of Lands, to be ſettled to the Uſes of her Will.

11. An Act for Sale of an undivided Share of Tythes in the Iſle of *Wight*, ſettled on *John Foyle Small*, *Mary Small* his Wife, and *John Small* their Son, an Infant, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of an Eſtate in the County of *Glouceſter*, to be ſettled to the ſame Uſes.

12. An Act to enable *Theodore William Inge* Eſquire, to make Building Leaſes of Part of his ſettled Eſtate, ſituate in or near *Birmingham* in the County of *Warwick*.

13. An Act for confirming and eſtabliſhing Articles of Agreement for incloſing and dividing *Canſwick*, alias *Watlas Moor*, in the County of *York*.

14. An Act for dividing, incloſing, and reducing into Severalty, the Lands in the Common Fields, Common Grounds, Paſture or Feeding Grounds, and all other the Lands lying open in the Pariſh of *Quennington*, in the County of *Glouceſter*.

15. An Act for dividing and incloſing the Common, Open, and Arable Fields, Meadows, and Waſte Grounds, in the Hamlet of *Hinton*, in the Pariſh of *Woodford cum Membris*, in the County of *Northampton*.

16. An Act to naturalize *John James Schweighauſer*, *David Girard*, *Chriſtian Von Hobendorff*, *John Lewis André*, and *Andrew Sellon*.

17. An Act for naturalizing of *John David Barbutt*, and *Fortunatus Planta*.

18. An Act to naturalize *Mary Sybella Harriſon*.

19. An Act for veſting the undivided Twelfth Part of *Ann Jekyll*, an Infant, in the Real Eſtate of Sir *Joſeph Jekyll* Knight, deceaſed, in Truſtees, to enable them to convey the ſame to the Purchaſers thereof, under a Decree of the Court of *Chancery*.

20. An Act for veſting One undivided Fourth Part of *Elizabeth Knight*, of and in divers Manors, Lands, and Hereditaments, in the County of *York*, late the Eſtate of *Robert Plompton* Eſquire, deceaſed, in Truſtees, in Truſt to ſell the ſame for the Purpoſes therein mentioned.

21. An Act for veſting the Eſtate of *Edmund Moreton Pleydell* Eſquire, in Truſtees, to ſettle the ſame, purſuant to an Agreement made previous to the Marriage of *Edmund Moreton Pleydell* the younger, Eſquire, with *Anne* his Wife, and for other Purpoſes therein mentioned.

22. An Act to enable *Evelyn Chadwicke* Eſquire, and his Wife, and their Iſſue, to make Building Leaſes of Part of his ſettled Eſtate in the Pariſhes of Saint *James*, *Weſtminſter*, and Saint *Martin in the Fields*.

23. An Act for eſtabliſhing and rendering effectual certain Articles for the Sale of the Manor, or reputed Manor, and divers Lands, Tenements, and Hereditaments, at *Kexby*, in the County of *York*, late the Eſtate of *Charles Headlam* Eſquire, deceaſed, and for veſting the undivided Third Part or Share of *Ann Headlam*, Spinſter, an Infant, of and in the ſaid Manor and Premiſſes, in Truſtees, in Truſt, to convey the ſame, purſuant to the ſaid Articles, and for other Purpoſes therein mentioned.

24. An Act for confirming an Agreement between *George Pitt* Eſquire, and the Rector of the Church of *Stratfieldſea*, in the County of *Southampton*, for Exchange of Lands in the ſaid Pariſh, and to enable *George Pitt* to take down the preſent, and erect a new Pariſh Church there; and for making Roads to the ſaid Church.

25. An Act for confirming and eſtabliſhing an Exchange agreed upon between the Prebendary of the Prebend of *Stillington*, and *Stephen Croft* Eſquire, of certain Lands and Hereditaments in the County of *York*.

26. An Act to diſſolve the Marriage of *John Ennever* Gentleman, with *Mary Cornwell* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

27. An Act for exchanging, dividing, incloſing, and reducing into Severalty, the Lands, Common Grounds, Paſtures, Feeding Grounds, and other the Lands and Grounds lying and being in the Manor and Pariſh of *Eaſtleach-martin*, otherwiſe *Botherup*, in the County of *Glouceſter*, and for making a Recompence in Compenſation to the Rector in lieu of his Tythes and Glebe Lands.

28. An Act for confirming and eſtabliſhing an Agreement for incloſing and dividing certain Common and Waſte Grounds in the Manor of *Loathley*, in the County of *York*.

29. An Act for incloſing and dividing certain Waſtes and Commons in the Manor of *Hexham*, in the County of *Northumberland*.

30. An Act for enabling *John Latchmore*, and his Iſſue, to take and uſe the Surname of *Frye*.

31. An Act for naturalizing *Chriſtian Maurice Roddtz*.

32. An Act for Sale of an Eſtate at *Bretherton*, in the County of *Lancaſter*, purſuant to the Will of *John* late Earl of *Aſhburnham*, deceaſed, and for the Purpoſes therein mentioned.

33. An Act for confirming and eſtabliſhing a Partition of ſeveral Manors, Lands, and Hereditaments, in the County of *York*, belonging to Sir *Cyril Wich* Baronet, *Elizabeth Wilſon*, and *Mary Turton*, reſpectively, and a Settlement made thereof, for the Benefit of the ſeveral Parties intitled to the ſeveral undivided Shares thereof before ſuch Partition.

34. An Act to impower the Guardians of *Frances Fitz Roy Scudamore*, an Infant, to make Building Leaſes of her Eſtate in *Southwark*, in the County of *Surry*.

35. An Act for Sale of the undivided Moieties of divers Manors, Lands, and Hereditaments, in the County of *Suffolk*, the ſettled Eſtate of *Matthew Manning*, Doctor in Phyſick, for raiſing Money to diſcharge a Mortgage Debt affecting the ſame, and for laying out the Surplus thereof in the Purchaſe of other Lands and Hereditaments, to be ſettled to the Uſes therein mentioned.

36. An Act for veſting the Parts or Shares late belonging to *Benjamin Brain*, Merchant, deceaſed, of and in One Twenty fourth Part of the Eaſtern Diviſion of the Province of *New Jerſey* in *America*, in Truſtees, to be ſold for the Purpoſes therein mentioned.

37. An Act for veſting the Advowſon of *Long Ditton*, in the County of *Surry*, in Truſtees, to be ſold, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of Lands, to be ſettled to the ſame Uſes, and for other Purpoſes therein mentioned.

38. An Act for veſting the Eſtate late of *William Rawſtorn* Eſquire, at *Baſſeldon*, in the County of *Berks*, in Truſtees, to ſell the ſame, and to lay out the Money ariſing by ſuch Sale, in the Purchaſe of another Eſtate, to be ſettled to the Uſes of his Will.

39. An Act to enable *John Craigie* of *Dumbarnie*, Eſquire, to ſell Lands in the County of *Perth*, and lay out the Money ariſing thereby in the Purchaſe of Lands contiguous to other Lands of the ſaid *John Craigie*, in the County of *Fife*, and for other Purpoſes therein mentioned.

40. An Act to impower *William Hunt Grubbe* Eſquire, to make Leaſes of certain Eſtates in the County of *Wilts*, and for veſting the Monies ariſing by Fines to be received for ſuch Leaſes, in Truſtees, for the Purpoſes therein mentioned.

41. An Act for veſting certain Lands and Hereditaments, Part of the ſettled Eſtate of *Valentine Knightley* Eſquire, in the County of *Northampton*, in the ſaid *Valentine Knightley*, and his Heirs, and for ſettling other Eſtates in the ſame County, of greater Value, in lieu thereof.

42. An Act for confirming the Will of *Littleton Pointz Meynell* Eſquire, deceaſed, and for making Proviſion for *Godfrey Meynell* Eſquire, his eldeſt Son and Heir, and *Judith Meynell* his Daughter; and for enabling *Hugo Meynell* Eſquire, his Second Son and Deviſee, to make a Jointure during his Minority, and for ſettling the Eſtates of the ſaid *Littleton Pointz Meynell* to the Uſes therein mentioned.

43. An Act for raiſing Money by Sale of the Eſtates late of *Hugh Fowler* of *Robeſtone*, in the County of *Pembroke*, Eſquire, deceaſed, to diſcharge the Debts and Incumbrances affecting the ſame, and for making a Partition of ſuch Eſtates, or ſo much thereof as ſhall not be ſold, for the Purpoſes aforeſaid.

44. An Act to diſſolve the Marriage of *Samuel Low* Eſquire, with *Elizabeth Rogers* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

The TABLE.

45. An Act to enable the Commissioners for executing the Office of Treasurer of His Majesty's Exchequer, or the Lord High Treasurer for the time being, to compound with *John Philpot* and *John Hutchinson*, and their Sureties, a Debt due to the Crown for Customs for Tobacco.

46. An Act for dividing and inclosing the Common called *Felton Common*, in the Parish of *Felton*, in the County of *Northumberland*.

47. An Act for dividing and inclosing the Common Fields, Common Pastures, Common Meadows, Common Grounds, and Waste Ground, in the Manor and Parish of *Hilmorton*, in the County of *Warwick*.

L O N D O N:

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M.DCC.LIII.

MVSEVM BRITAN NICVM